

detriment or disadvantage is claimed to have ensued from the Board's procedure the matter is not one calling for a reversal of the order. The fifth amendment guarantees no particular form of procedure; it protects substantial rights. Compare *Morgan v. United States* (298 U. S. 468, 478). The contention that the respondent was denied a full and adequate hearing must be rejected.

Ninth. The other contentions of the respondent are overruled because foreclosed by earlier decisions of this Court.

The judgment of the circuit court of appeals is reversed and the cause is remanded to that court for further proceedings in conformity with this opinion.

So ordered.

Mr. Justice Cardozo and Mr. Justice Reed took no part in the consideration or decision of this case.

RECESS

Mr. BARKLEY. I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 25 minutes p. m.), the Senate took a recess until tomorrow, Tuesday, May 17, 1938, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 16, 1938

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Dear Lord and Father of mankind, speak and may we listen. Thou who art the ancient of days, yet ever new, bless us with Thy presence. Forgive our feverish ways; breathe through the heats of our desires Thy coolness and Thy balm; let us all forgive as we hope to be forgiven. We pray that we may be brave and fruitful in the performance of duty and that everything may be supplanted by a passion to serve. That the Congress may think and work for the common good, clothe our Speaker and all Members with increased devotion and understanding. Mercifully remember our land. We pray that the poor and needy may be ministered unto and that the ignorant have light and knowledge brought unto them. Oh, spare our people from all false judgments. Bring them all into one family without divisions, hatreds, and contentions. May all live in peace in the salvation of our God. Let that glorious spiritual life begin which shall never terminate until the throne of the Almighty One itself crumbles. In the name of our living Savior. Amen.

The Journal of the proceedings of Thursday, May 12, 1938, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9218) entitled "An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes."

PERMISSION TO ADDRESS THE HOUSE

Mr. TARVER. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

Mr. TARVER. Mr. Speaker, I have been furnished by Dr. Stanley, of the Bureau of Home Economics, with a statement containing certain statistics with reference to the size of families in different sections of the country. This statement has particular reference to farm families. The information is of interest in connection with the question as to the payment of wages of W. P. A. workers, illustrating, as it does, the fact that farm families located in the South and the

average sizes of families generally are very much larger, as a rule, than those in other sections of the country. It further shows the injustice of discriminatory wage rates which have been in force with regard to W. P. A. workers in the South.

Mr. Speaker, I ask unanimous consent to insert these statistics in the RECORD in connection with my remarks, together with a letter attached thereto from Dr. Stanley.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The matter referred to is as follows:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF HOME ECONOMICS,
Washington, D. C., May 12, 1938.

Hon. MALCOLM C. TARVER,

House of Representatives, Washington, D. C.

DEAR MR. TARVER: I have read with much interest your remarks in the CONGRESSIONAL RECORD on the differences existing in W. P. A. rates between North and South. We sent you this afternoon a report of the W. P. A.—on living costs in different cities. It has occurred to me that you might be interested, also, in the fact that families are somewhat larger in the South than in other regions, thus making family support on the wage provided even more difficult. This is especially true in farm areas where there are a large number of youths still dependent on their families and facing unemployment, who should be reached by N. Y. A. and C. C. C. funds.

The attached tables show average size of families included in the consumer purchases study that had received relief during the year the investigation was made. You will note that the farm families in the Southeastern States are larger than those in other States studied. In the farm counties of North and South Carolina they are twice the size of farm families on relief in southern California. Even where the size differential is not so marked, the farm families of these Southeastern States are more than 10 percent larger than those of the northern area.

Very truly yours,

LOUISE STANLEY, Chief.

Family size—Average size of farm families in specified localities, 1935-36

[Families that include husband and wife, both native-born]

Locality ¹	Number of families ²	Average number of persons per family		
		All families ³	Relief families	Nonrelief families ⁴
New England: White operators:				
Vermont.....	543	4.2	4.7	4.2
Central: White operators:				
New Jersey.....	861	4.1	5.0	4.0
Pennsylvania.....	2,096	4.7	5.3	4.7
Ohio.....	836	3.9	5.3	3.9
Michigan.....	819	3.7	5.2	3.7
Wisconsin.....	795	4.5	6.7	4.5
Illinois.....	857	3.9	5.7	3.9
Iowa.....	748	3.9	4.8	3.9
Mountain and Plains: White operators:				
Kansas.....	695	4.4	5.3	4.2
North Dakota.....	1,106	4.7	5.5	4.5
Colorado, Montana, and South Dakota.....	1,088	4.1	4.9	3.9
Pacific: White operators:				
Central California.....	281	3.6	3.2	3.6
Southern California.....	1,159	3.4	3.4	3.4
Oregon, full-time farm operators.....	1,781	3.9	4.4	3.8
Oregon, part-time farm operators.....	646	3.8	4.2	3.7
Washington.....	830	3.8	4.2	3.7
Southeast: ⁴				
North Carolina:				
White operators.....	460	5.4	6.8	5.4
White sharecroppers.....	300	5.2	6.9	5.2
White self-sufficing farm operators.....	1,294	5.4	5.7	5.2
Negro operators.....	129	6.5	10.0	6.5
Negro sharecroppers.....	398	6.5	5.3	6.5
South Carolina:				
White operators.....	2,310	5.3	5.8	5.2
White sharecroppers.....	274	5.4	6.5	5.1
Negro operators.....	488	6.8	6.3	6.8
Negro sharecroppers.....	293	5.9	6.8	5.8

¹ See FS 2-7 for number and names of counties studied.

² This column represents all relief and nonrelief families studied.

³ Nonrelief families include families with positive net incomes and families whose farm expense exceeded income, resulting in a net loss.

⁴ Because of the economic and social significance of the system of farm tenancy in the Southeast, these data have been tabulated separately for each type of tenure; hence no justifiable comparisons can be made between any one group in this region and white operators in other regions. Negro farm families were studied only in the Southeast.

Family size—Average size of farm families in specified localities,
1935-36—Continued

Locality	Number of families	Average number of persons per family		
		All families	Relief families	Nonrelief families
Southeast—Continued.				
Georgia:				
White operators.....	847	4.7	5.6	4.5
White sharecroppers.....	248	5.4	5.8	5.3
Negro operators.....	219	5.2	5.7	5.1
Negro sharecroppers.....	296	5.4	6.3	5.4
Mississippi:				
White operators.....	552	4.6	5.0	4.6
White sharecroppers.....	347	4.8	5.2	4.7
Negro operators.....	277	4.5	9.1	4.4
Negro sharecroppers.....	958	4.2	5.1	4.2

Average size of family in specified cities, 1935-36
[Native white families including both husband and wife]

Locality	Number of fam- ilies ¹	Average number of persons per family		
		All fam- ilies	Nonrelief families ²	Relief families
New England:				
Westbrook, Maine.....	927	3.8	3.7	5.1
Greenfield, Mass.....	658	3.5	3.5	3.6
Central:				
Mount Vernon, Ohio.....	313	3.9	3.7	4.6
New Philadelphia, Ohio.....	753	3.7	3.5	4.5
Beaver Dam, Wis.....	453	3.6	3.4	4.9
Lincoln, Ill.....	511	3.8	3.6	4.3
Boone, Iowa.....	494	3.9	3.7	4.5
Moberly, Mo.....	1,030	3.5	3.4	4.3
Columbia, Mo.....	1,309	3.7	3.6	4.1
Mountain and Plains:				
Dodge City, Kans.....	1,013	3.8	3.6	4.5
Greeley, Colo.....	637	3.5	3.4	4.1
Logan, Utah.....	1,013	4.5	4.5	4.8
Provo, Utah.....	751	4.4	4.3	4.6
Pacific:				
Astoria, Oreg.....	381	3.2	3.2	3.4
Eugene, Oreg.....	2,408	3.4	3.3	4.1
Klamath Falls, Oreg.....	772	3.4	3.4	3.9
Olympia, Wash.....	1,062	3.4	3.3	3.9
Southeast (white families only):				
Griffin, Ga.....	741	4.0	3.9	4.7
Sumter, S. C.....	815	4.1	4.0	4.7
Southeast (Negro families only):				
Griffin, Ga.....	349	3.9	3.8	4.4
Sumter, S. C.....	636	3.9	3.9	4.1

¹ The figures in this column represent the total number of families studied, both relief and nonrelief.

² A few families are not included whose business expenses and losses exceeded their incomes.

Average size of family in specified village units, 1935-36

[Families that include husband and wife, both native-born¹]

Numbers and locality of villages ²	Number of fam- ilies ³	Average number of persons per family		
		All fam- ilies	Nonrelief families ⁴	Relief families
New England:				
14 Vermont and Massachusetts villages.....	2,005	3.9	3.8	4.6
Central:				
13 Pennsylvania and Ohio villages...	2,079	3.7	3.6	4.3
14 Michigan and Wisconsin villages...	1,978	3.7	3.5	4.3
19 Illinois and Iowa villages.....	2,404	3.8	3.5	4.4
Mountain and Plains:				
15 Kansas and North Dakota villages...	1,465	4.1	3.8	4.8
7 Colorado, Montana, and South Dakota villages.....	1,036	3.7	3.6	4.4
Pacific:				
12 California villages.....	1,846	3.5	3.4	3.8
12 Oregon and Washington villages...	2,315	3.6	3.4	4.2
Southeast (white families only):				
15 Georgia and South Carolina vil- lages.....	2,675	4.0	3.9	4.5
18 North Carolina and Mississippi villages.....	1,816	4.0	3.9	4.4
Southeast (Negro families only):				
15 Georgia and South Carolina vil- lages.....	1,299	4.0	4.0	4.1
19 North Carolina and Mississippi villages.....	1,726	3.6	3.5	3.8

¹ Only native-born white families are included in all regions except the Southeast; in that region, native-born Negro families were studied separately.

² See Form VS 2-7 for names of villages studied.

³ The figures in this column represent the total number of families studied, both relief and nonrelief.

⁴ A few families are not included whose business expenses and losses exceeded their incomes.

PERMISSION TO ADDRESS THE HOUSE

Mr. HOBBS. Mr. Speaker, I ask unanimous consent that after the disposition of business on the Speaker's table and at the conclusion of the calendar business in order for today I may be permitted to address the House for 2 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

EXTENSION OF REMARKS

Mr. DIES. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and to include therein some proposed amendments to the wage and hour bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to proceed for 1 minute to pay tribute to the gentleman from Missouri [Mr. SHANNON].

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

HON. JOSEPH B. SHANNON

Mr. ASHBROOK. Mr. Speaker, I am sure that every Member of this body will regret to learn that our distinguished friend, the genial gentleman from Missouri [Mr. SHANNON], will retire from service here at the conclusion of the Seventy-fifth Congress. We will all miss his cordial greeting, his hearty handclasp and wise counsel, and will wish him well. Our colleague has reached the allotted three score and ten years, but I know all of you will join me in the fervent hope that at least another score of years of good health and happiness are in store for him, that he may review and enjoy his eventful life and the companionship of his many admiring friends under less strenuous conditions.

Mr. Speaker, when we approach the sunset days and sit down by the fireside in the quiet of our own home and reflect upon the years that have passed, it is not always the major achievements of our lives which bring us the most joy and satisfaction but more often the unselfish things, the good deeds, the cups of cold water, which stand to our credit. If the entire life of our lovable friend is reflected by his service here, as I suspect it is, his last days will be his best, his happiest days.

Mr. Speaker, at the moment I wish to call to your attention and to the House one of the many gracious and unselfish deeds of the gentleman from Missouri [Mr. SHANNON]. It has been his custom each year to invite our faithful page boys who serve us so faithfully and well to be his guests, not to a ham-sandwich lunch, but a regal banquet. These page boys are not his constituents. There is no greater responsibility upon his shoulders than upon yours and upon mine and yet annually, good foster father that he is, he has made these boys his guests at a sumptuous feast. Last night he gave a farewell banquet at the Mayflower Hotel to our pages and by so doing let these boys know that while most of them are far from the influence of home and parents, there is someone here in this great Capital City who cares.

These page boys, as evidence of their affection and appreciation for this good man for his many kindnesses to them, adopted resolutions expressing their lasting gratitude and good will for the gentleman from Missouri. They affixed their several names to these resolutions and had the same beautifully printed and transcribed, which they presented to our retiring colleague at their farewell feast. They requested me to have a copy of the same preserved in the CONGRESSIONAL RECORD, and I therefore ask unanimous consent that their wish be gratified. May God bless and tenderly care for good Uncle Joe and may his days be long and end in peace.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include therein the resolutions to which I have referred.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolutions are as follows:

[Seventy-fifth Congress, third session, resolution]

IN THE CLOAKROOMS OF THE HOUSE OF REPRESENTATIVES

Mr. SHANNON, of Missouri, introduced the following resolution, which was referred to the Pages of the House of Representatives and ordered to be printed.

Resolution to provide for the sixth annual dinner of the Pages of the House of Representatives

Resolved by the Pages of the House of Representatives of the United States of America in the cloakrooms assembled, That whereas the third session of the Seventy-fifth Congress is drawing to a close; and

Whereas it has been the long-respected custom of JOSEPH B. SHANNON to be host to the Pages of the House of Representatives at an annual dinner;

Now, therefore, Sunday, the 15th day of May 1938 is designated as the day; the Pan American room of the Mayflower Hotel, Washington, D. C., as the place; and 7 o'clock p. m. as the time, when and where each and every Page of the House of Representatives shall meet and assemble, in jovial and hungry mood, for their sixth annual dinner as the guests of Mr. SHANNON.

Adopted unanimously by the Pages of the House of Representatives.

JOHN McCABE,
PAUL R. ASHBROOK,
Chief Pages.

[House Pages' Resolution 1938, passed May 15, 1938]

SEVENTY-FIFTH CONGRESS OF THE UNITED STATES OF AMERICA, AT THE SIXTH SESSION

Assembly of the Pages of the House of Representatives begun and held at the Mayflower Hotel in the city of Washington on Sunday, the 15th day of May 1938.

Resolution expressing the gratitude of the Pages of the House of Representatives to the Honorable JOSEPH B. SHANNON

Resolved, That the Pages of the House of Representatives express their deep and heartfelt appreciation of the many kindnesses and favors shown them by their gracious and distinguished host, the Honorable JOSEPH B. SHANNON. On this occasion, the sixth annual banquet, they extend their best wishes to Congressman SHANNON for a life of peace and continued happiness after his retirement, enriched by many memories of a long and meritorious service in the House of Representatives. We, the undersigned, do wholeheartedly endorse this resolution.

Attest:

John McCabe (Indiana), Chief Page; Paul R. Ashbrook (Ohio), Chief Page; Lewis Allen (Ohio); Thomas E. Beatty (New Jersey); Robert C. Blake (Ohio); Rodney Bowman (Ohio); James Brooks (Georgia); Harmon Burns, Jr. (Maryland); George Catlett (Kentucky); Cullen Collinsworth (Tennessee); Owen C. Deatrick (Michigan); Braswell Deen, Jr. (Georgia); John Dingell, Jr. (Michigan); Eugene Dingler (Pennsylvania); Daniel B. Ellis (Alabama); C. H. Emerson (Tennessee); H. M. Gardner, Jr. (Georgia); Peter J. Green, Jr. (Illinois); Charles G. Harris (Virginia); Oren Hill (Georgia); Harry J. Joachim (Mississippi); Fred Johnson, Jr. (Wyoming); James R. Johnson (Indiana); John Jurgensen (New York); Homer E. LeGrand (North Carolina); Ed Lewin (California); Albert C. Losche (Indiana); Edward McCormick (Pennsylvania); Charles McEnerney, Jr. (District of Columbia); J. Rutledge McGhee, Jr. (South Carolina); William F. McLaughlin (Ohio); Carl Martin (Illinois); Robert B. Martin (California); Earl C. Morgan (Alabama); Walter Morgan (Alabama); H. H. Morris (Kentucky); Stephen Pace, Jr. (Georgia); Robert M. Parrish (Indiana); Earl Robinson (Florida); Aubrey Russell (Kentucky); Fred Schatzman (New Jersey); George J. Smith (Pennsylvania); William Smith (Pennsylvania); Alvin Smuzynski (Michigan); John R. Stacy (Georgia); Antonio Suazo (New Mexico); Arthur J. Sutton (Michigan); James M. Teagle (Ohio); W. K. Walker (South Carolina); Edmond E. Walsh (District of Columbia).

Mr. KITCHENS. Mr. Speaker, I ask unanimous consent to proceed for one-half minute.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

Mr. KITCHENS. Mr. Speaker, in a few days there will be brought before the House for consideration what is known as the wage and hour bill. I have received a letter from the secretary of the State organization of labor in my State, to which I have replied.

I ask unanimous consent to include a copy of that letter and my reply at this point in the RECORD in connection with my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The letter is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., May 14, 1938.

Mr. H. M. THACKREY,
Secretary-Treasurer, Arkansas State Federation
of Labor, Little Rock, Ark.

DEAR MR. THACKREY: With further reference to your letter regarding wage and hour bill, I desire to state:

I have given a great deal of thought to this proposal. The ostensible objectives of the bill meet my wholehearted approval. As a matter of fact, it is my sincere wish to help labor receive a larger wage than this bill permits. I feel this bill will do more harm than good. I believe in labor unions and in collective bargaining with protective laws to enable them to function for protection of their rights.

However, the proposed bill has most far-reaching implications of injustice and discrimination to southern labor and industry. In fact, it is directed against southern, western, and mid-western labor and industry. We have very little interstate industry in Arkansas. We are just beginning to obtain some industry for our labor. Our great trouble is lack of industry and jobs. There can be no jobs nor wages without industry.

In the second place, Arkansas, east Texas, and Oklahoma have highest freight rates of any States in the Union. Where it costs industry in the Northeastern States \$1 to transport products, for the same products shipped out of Arkansas for the same distance the shipper has to pay \$1.50 to \$1.79. In other words, northeastern industry has an advantage in freight rates over my State and other States. If they can hold this advantage and force same wage, our industry cannot compete nor exist.

In all seriousness, I ask how industry in Arkansas can ship its products to a market and pay \$1.79 per hundred for freight rate, while industry in New England States can ship the same products the same distance, over same line, for \$1 per hundred? It does not require a mathematician nor economist, much less a banker, industrialist, or laborer, to know it cannot be done. Such requirement will cripple, if not destroy, present southern and western industry and absolutely foreclose the acquisition of new industry. Probably you will say equalize freight rates and place same on a parity all over the country. Then I agree with you. I insist this be done before the destruction of our labor, jobs, and industry in the South and West. That is what I am exerting all efforts to do, but the New England States oppose this.

Only recently, representatives from various Southern States met at Birmingham, Ala., and appeared before the Interstate Commerce Commission at a hearing there to bring about more nearly a parity of freight rates for the South. The New England States and Governors of those States had a great number of lawyers at Birmingham vigorously opposing fair or parity freight rates for the South. So one needs to watch reformers as they loll on their tongues, parrot-like, the expressions, "slave labor," "sweatshops," etc. When I hear the voice of Jacob and see the hand of Esau, I know enough to beware.

The New England States have been getting the benefit of tariff for many years at the cost of the South and West. We have been paying that tariff on the fabricated products of the East in order to help eastern labor and industry. The result is most industry, as well as capital, is centralized in that section. I might mention also in this connection that the industry in the Northeast imported for years alien labor, exploited that labor for many years at the expense of southern and western labor, and now is willing and anxious to further sacrifice southern industry, southern labor and consumers for their benefit.

I wish to call your attention to the Fifteenth United States Census of Manufactures. This census shows there are something over 200,000 small factories in the United States, and about 20,000 large factories. That census shows a laborer in a factory which produces products annually of the value of \$1,000,000 or more, by use of machinery, greater capital, larger purchases, and greater coordination of effort, produces from two to four times as much as a man doing the same kind of work in a small factory with an output amounting to \$50,000 or less per year. I ask then how a small plant can pay the same wages as a million-dollar plant, and then, in addition, pay higher freight rates? It occurs to me the only plants that can survive will be the large plants.

The President recently sent a message to Congress on monopolies, and requested legislation to prevent monopolies. This bill, in my opinion, will create, centralize, and sectionalize industry in the New England States, and further protect and foster monopolies. I hear Members on the floor of the House and in the cloakrooms say that all small businesses, if unable to pay what they call a "living wage," should be destroyed. But, they lose sight of the fact that what is a living wage in one section is not in another. What is a living wage? This bill purports to define it, but I disagree with the definition. It falls far too short. They prefer that he receive no wage at all unless he receives the same

wages as paid by a large million-dollar factory. By their votes and their efforts, they are against all southern, western, and midwestern labor and industry, and favor monopolies and million-dollar corporations. They are against the farmers and the consumers likewise, because any aid to the large industrial corporations, or advantage to them given, and to their labor, will be at the expense of farmers and other laborers and consumers.

It is well known that the large industrial corporations and monopolies exist mostly in the New England States. No telegram comes to any Member of Congress from them opposing this bill; no, not one. All monopolists, by their silence, favor it and are not openly advocating it because fear of arousing some to a sense of its selfishness and injustice. They agree with certain Members of Congress who say, "Let the small industrial plants perish." I do not blame monopolists and large mechanized factories for not opposing this bill. There is method in their inaction and silence, and we see no telegrams flooding Congressmen's offices.

On May 4, Congressman FISH, of New York, on the floor of the House, stated, "I am not blaming my friends from Tennessee and Kentucky; I am not blaming Democrats of the South who may have different issues in those States confronting them. I admit that every northern Democrat from an industrial city will vote for this bill." Mr. FISH then added, "I have heard no demand from capital or industry against it; I do not know a single big industrial corporation in America that is opposing this bill." Mr. FISH then begged all Republican Congressmen to support the bill.

This bill will destroy jobs because large industrial corporations with millions of capital will use more and more machinery. This cannot happen in small factories. High-speed machines in large factories will be further mechanized for replacement of men. To be sure, no new jobs will be created by this bill. The only real effect of same will be to destroy jobs in great sections of our country and increase jobs in new and large monopolistic industries and centers in New England. After all, I know that one section of our great country cannot prosper on the ruins of labor and industry in other sections.

The large pulp mills, oil companies, and railroads are not affected by this bill. The bill also excludes from its protection farmers, retail clerks, horticulturists, livestock raisers, poultry people, packers of agricultural products of different kinds, outside salesmen, seamen on merchants' ships, those engaged in taking fish and sea foods. In fact, the bill excludes every worker in intrastate business of all kinds, such as work in laundries and other local factories and business not doing an interstate business. Why burden all these people with excess cost of their needs by fixing a set wage and lesser hours accruing to benefit of large industrial establishments and their labor in New England States? This bill singles out interstate laborers as a class to give them higher wages and shorter hours. All intrastate laborers are given nothing whatever. They are left with the same wage, same hours, and are forced to help bear the burdens of increased wages, etc., of laborers in interstate commerce.

We pay no million-dollar bonuses to capitalists and industrialists in the South. Our industry is all of small capital. We pay no \$100,000, \$250,000, \$500,000, and \$1,000,000 salaries in the South. We know that such salaries and bonuses are paid in hundreds and hundreds of these concerns in the North and East. This bill will enable such concerns to maintain and increase such salaries at the expense of southern and western industry and labor.

Pay rolls are met with money from bank deposits. They cannot be met without money. These pay rolls are met from demand deposits in our banks. The State of New York has around \$750 demand deposits for each man, woman, and child in that State. In our State, and many other Southern, Western, and Midwestern States, we have around \$50 in demand deposits per capita. In other words, in New York State there is available for labor 15 times as much money per capita as there is in Arkansas. In the State of New Jersey there is seven times as much money available for labor in demand deposits as in Arkansas. In Connecticut, where the population is 250,000 less than in Arkansas, the demand deposits are two and a half times that of Arkansas.

No Southern State has attained anywhere near as high per capita demand deposits as these New England industrial States. American wages must, of necessity, vary widely from State to State because of this great difference in available money for pay rolls. Wages are governed by the amount of money available and by the conditions existing at the particular plant. These discriminations and inequalities cannot be put upon the same basis, and a uniform wage, if attempted, will be impractical.

The shoes and socks on your feet, hat on your head, clothing you wear, belt around your body, buckle, watch, chain, tie, knife in your pocket, fountain pen you use, pencil with which you write, glasses, if any, you wear, are almost all made in the East and North. Go into your home, look at the glass windows, carpets, or rugs on the floors; sewing machine, radio, electric light fixtures, lamps, clock on the mantel, trunks in the corner, bed-springs, bedsteads, chairs, telephone, stove, gas heaters, electrical equipment, tables, kitchen utensils, knives, forks, plates, linens of all kinds, gun in the rack, shells therefor, fishing rods, cabinets, books in the library, auto in garage and see if any of them are made in Arkansas or in your State. The same would apply to the tools, harness, equipment, and machinery of the farmer. In truth the same applies to all the machinery and equipment of the few factories we have.

In Arkansas we have coal, gas, oil, water power, manpower, and electrical power in great abundance. We have great forests with

fine timbers. We have finest clays in America, bauxite, other minerals, and raw materials. We produce a million and a half bales of cotton per year and manufacture less than 5,000 of it. We have some of the finest labor, eager and anxious for a job.

I am just wondering why one should vote to raise the price of what farmers, laborers, and other southern and western consumers have to buy in order to further help New England capital, monopolies, and large industrial corporations and their labor in the New England States. Why should one vote to further handicap, if not destroy, labor and industry of his own section to build up and further centralize and monopolize industry in the North and East? Why vote to further cripple his schools in obtaining revenues? Why vote to foreclose all chance to obtain new industries for our southern and western labor?

The children in New England and certain Northern States receive on an average \$75 each per year for school purposes; while in the South, due to lack of taxes on industry, our children have an average of about \$25. Why should one vote against giving his own people a fair opportunity to get an education and obtain jobs in factories and increase school facilities of children of the people he represents? Why should one vote to impose further burdens and excess cost of manufactured products upon the fathers and mothers of these children in order to aid the capitalists, monopolists, and large industrial corporations in the New England States?

After all, why deceive labor? Why put him in, restrict, and accustom him to this low wage and hour scale? If he has a family, a laborer cannot live in a large city on 25 cents per hour. Certainly he cannot have any of the conveniences and luxuries of modern inventions anywhere on such a wage. Why not show some courage and give him a wage that will enable him to have not only the necessities but some of the luxuries? Furthermore, in some cities and sections rents and living expenses are higher than in other sections. In some cities educational and other advantages are more and better than in others. In some cities workers are compelled to pay transportation to reach their work. Under this bill, instead of decentralizing industry and scattering it over the country so that all may have a chance, it will centralize industry. Electricity is the motive power of industry today and can be transmitted to where the raw materials, resources, and laborers are instead of transporting the raw material. Under this bill laborers will be forced to emigrate in large numbers to the large industrial cities where frightful labor conditions already exist, and then I hesitate to contemplate the result.

Again, this fixing of labor's wage cannot but please great capitalists and financiers of America. They control these large industrial plants, railroads, and monopolies. They control the banking facilities. I can assure you that at one meeting and one stroke of the pen these financiers can make 25 cents an hour equal in purchasing power to 15 cents. They can make 40 cents per hour equal 25 cents. This can result by changing the purchasing power of the dollar. The slightest lowering of the discount rate by the bankers can lower and destroy this fixed wage. The lowering of bank-reserve requirements will have the same tendency and effect. The slightest expansion of the currency or credit will lower this fixed wage. Nothing will please the great financiers of America more than to place the American laborer in a strait jacket of a fixed wage, variable at their will.

There is no stability in the value of a dollar, nor of its purchasing power, in America today. Until such purchasing power of the dollar be more nearly stabilized there can be no fixed wage. In truth, this bill turns over to the great northern capitalists, financiers, and industrialists the fixing of labor's wage through their control of credit and money. This bill and the principle involved surrender to the financiers and large industrialists labor's rights to contract and bargain. Why not remedy first the fundamental cause of our economic troubles? Our whole trouble is caused by undue expansion or contraction of money and credit, instability of purchasing and debt-paying power of the dollar.

I submit, if we are going to fix a minimum wage for some laborers, then fix minimum wage or price for the farmer and his products. Why not help him and his family, because his sweatshop requires as much hard work, perspiration, and longer hours than any other sweatshop in this country? If the farmer be given a fair price, the industrial laborer will prosper. If Congress, under this law, can fix minimum wage, it can fix maximum wage and price on all things in interstate commerce or having to do with interstate commerce. If Congress can fix minimum or maximum wage under this bill, then it can fix minimum or maximum salaries for all business in the United States. I submit that when all this great business is turned over to some bureau or secretary in Washington to manage, to define what is and is not interstate commerce, then we have destroyed individual rights, collective rights, State rights, constitutional rights, and substituted the dictates of man for law and the Constitution.

In some sections of this country we have droughts, floods, calamities, and other sectional crop failures and disasters. Yet under this bill, as to wages, no relief can be given. The same wage must be paid as in the great, rich industrial sections of North and East. When it comes to W. P. A. or P. W. A. jobs or relief in the South, what is the attitude of these humanitarians who shed glycerin tears so copiously for southern labor? Well, they give him just about one-half. Various advocates of this bill argue in effect that a southern laborer out of a job and hungry is less hungry than a New York or Pennsylvania laborer, and that the one should receive \$21 per month, while the other \$40 to \$55 per month. They argue

that it is a kind of dole or charity out of Federal Treasury anyway, and we will penalize him because of his helplessness. This bill now before us contemplates a worse discrimination even than that.

It is my opinion that the title of this bill should read: "A bill for an act in the interest of and to help create more monopolies, aid the financiers and controllers of large industry, place labor and its fixed wage under their control through control of money and credit, regiment labor and industry, take away from labor the right to contract individually or collectively, cripple, if not destroy, present southern labor and industry, prevent further industry locating in South, West, or Midwest, deprive citizens in four-fifths of the country of jobs and opportunities for jobs, further deprive the children of southern, western, and midwestern parents of educational advantages, fair share of industrial taxes and wealth, occupational opportunities, and for other discriminatory purposes."

Arkansas already has one of the best child-labor laws in the Union, as well as protective laws for women in industry.

The real remedy for our labor situation, for industry, for farmers, and all the people is to bring down the value of the gold dollar to the purchasing value of the dollar of 1926, and to maintain that parity or basis. The currencies of other nations are disorganized, disarranged, out of kilter, and we suffer because still tied to gold on an unfair ratio or basis as to dollar value.

There are other serious matters in connection with this bill to which I would like to call your attention, but space will not permit. It is impossible to pass a fair, honest, and nondiscriminatory labor bill in this Congress now. Such a bill I would support.

Sincerely,

WADE KITCHENS.

EXTENSION OF REMARKS

Mr. GEHRMANN. Mr. Speaker, last Thursday I received the permission of the House to insert in the RECORD a speech or an address by Governor La Follette. I have received an estimate from the Printer stating it will overrun the allowable two pages of the RECORD and that it will be between three and four pages. I ask unanimous consent that, notwithstanding that fact, I may be permitted to include this address by Governor La Follette in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. LEMKE asked and was given permission to extend his own remarks in the RECORD.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of our reciprocal-trade agreements and include therein a short radio address on the same subject.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

AMENDMENT OF MERCHANT MARINE ACT, 1936

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 10315) to amend the Merchant Marine Act, 1936, to further promote the merchant marine policy therein declared, and for other purposes, with Senate amendments thereto, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. COCHRAN. Mr. Speaker, I reserve the right to object to call to the attention of the gentleman from Virginia the language used by Senator RADCLIFFE when he offered his amendment, the ship-mortgage feature, in the Senate. The Senator said he was offering the identical bill that was passed by the House. In this he was in error, as he offered the bill as reported by the committee, not the bill as passed by the House. I hope the gentleman will remember the action of the House in adopting my amendment to this bill.

Mr. BLAND. The conferees will feel obliged to pursue the action of the House.

Mr. COCHRAN. I thank the gentleman.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection and the Chair appointed the following conferees: Mr. BLAND, Mr. SIROVICH, Mr. RAMSPECK, Mr. KENNEDY of Maryland, Mr. CROSBY, Mr. WELCH, and Mr. CULKIN.

EXCEPTION OF YACHTS, TUGS, TOWBOATS, AND UNRIGGED VESSELS FROM CERTAIN PROVISIONS OF THE ACT OF JUNE 25, 1936, AS AMENDED

Mr. BLAND. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 7158, to except yachts, tugs, towboats, and unrigged vessels from certain provisions of the act of June 25, 1936, as amended, with a Senate amendment thereto, disagree to the Senate amendment and ask for a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. BLAND, SIROVICH, RAMSPECK, WELCH, and CULKIN.

EXTENSION OF REMARKS

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on the subject of the setting of coal prices by the Bituminous Coal Commission and to include therein correspondence between myself and the chairman, Mr. Tetlow, on that subject.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

ERADICATION OF TENT CATERPILLARS

Mr. LORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LORD. Mr. Speaker, for the past 3 years in New York and some other States we have had a great scourge of tent caterpillars. These caterpillars eat the leaves off fruit trees and in many places have destroyed the trees. As soon as the leaves come out in the springtime the caterpillars eat them off, and when the leaves start out again the caterpillars again eat them off, and many of the trees die.

Mr. Speaker, I have here a resolution from my board of supervisors in Broome County asking that the C. C. C. camp boys be allowed to help in destroying these pests. On the 24th of March I introduced a resolution which had for its purpose using the C. C. C. boys to do this work. So far I have not been able to get any consideration for this measure because the time of the committee is being taken up with labor legislation. This is a very serious question in the Northeast and we very much need some help from the C. C. C. camp boys to save our fruit trees. I hope we may get action on my resolution.

I have taken this up with the C. C. C. Administrator, with the Forest Service that deals with forest insects and with the Department of Agriculture.

They all seem sympathetic and the Forest Service has sent Mr. J. V. Shoffner to make an inspection. According to a newspaper article he doubts immediate action and in the meantime the worms are destroying the trees. This is the same old story of lack of business in Government. The time has passed for spraying. What is needed is a pole with a cloth tied on the end of it, some gasoline, and a boy on the other end to wipe the nests out of the trees. This would be a very short job taking only a few minutes to care for a tree and save it from destruction. What we need is action. Will we ever get it in Government?

Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a short resolution from the board of supervisors.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

THE CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

LANDS ALLOTTED TO INDIANS

The Clerk called the first bill on the Consent Calendar, H. R. 2534, to authorize the Secretary of the Interior to investigate and report on the loss of title to or the encumbrance of lands allotted to Indians.

Mr. COCHRAN, Mr. CHURCH, and Mr. COSTELLO objected.

WESTERN BANDS OF THE SHOSHONE NATION OF INDIANS

The Clerk called the next bill, S. 68, authorizing the Western Bands of the Shoshone Nation of Indians to sue in the Court of Claims.

Mr. COCHRAN. Mr. Speaker, reserving the right to object, this is another Indian claim bill. I wish to call the attention of the House to two decisions of the Supreme Court during the last 10 days. As a result of the passage of two bills amending jurisdictional acts the taxpayers of this country are now required to pay almost \$10,000,000 to two Indian tribes. If the two bills had not passed the House, changing the jurisdictional act, the taxpayers of this country would not have been required to pay approximately \$4,500,000 in each case. Here is additional evidence the House as a whole should carefully consider Indian claim bills. The changing of a few words in a jurisdictional act always cost the taxpayers millions. Time and again Members interested in Indian bills claim the Indians never recover from the Government. I have always challenged such statements. The decisions just referred to confirm my statement.

Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

INDIANS ALLOTTED ON THE QUINAIELT RESERVATION, STATE OF WASHINGTON

The Clerk called the next bill, S. 1517, authorizing the payment of attorney fees contracted to be paid by certain Indians allotted on the Quinaielt Reservation, State of Washington, and for other purposes.

Mr. COCHRAN. Mr. Speaker, there is another bill on this same subject that has been reported by the committee, and therefore I object to the present consideration of this bill.

AMENDMENT OF WISCONSIN CHIPPEWA JURISDICTIONAL ACT

The Clerk called the next bill, H. R. 8502, to amend the Wisconsin Chippewa Jurisdictional Act of August 30, 1935 (49 Stat. L. 1049).

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

CLAIMS OF THE SIOUX INDIANS

The Clerk called the joint resolution (H. J. Res. 438) restoring the right of appeal to the Supreme Court in certain cases involving claims of the Sioux Indians.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

PUBLIC-SCHOOL BUILDING IN MASON COUNTY, STATE OF WASHINGTON

The Clerk called the next bill, H. R. 6970, to provide funds for cooperation with School District No. 2, Mason County, State of Washington, in the construction of a public-school building to be available to both white and Indian children.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PENSIONS FOR SERVICE IN THE WAR WITH SPAIN, THE PHILIPPINE INSURRECTION, AND THE CHINA RELIEF EXPEDITION

The Clerk called the next bill, H. R. 6289, granting a pension to certain soldiers, sailors, and marines for service in the War with Spain, the Philippine Insurrection, and the China Relief Expedition.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any soldier, sailor, or marine, a citizen of the United States and 80 years old, who served 1 year or more on foreign soil in the service of the United States in the War with Spain, the Philippine Insurrection, or the China Relief Expedition, during the period from the beginning of the War with Spain in 1898 to and including the year 1901, and who was honorably discharged from the service of the United States, disabled by reason of disease contracted while in line of duty during such service, shall be paid a monthly pension of \$100. The said pension shall begin from the date of filing application.

Sec. 2. All laws and parts of laws in conflict herewith are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF GRAIN ELEVATORS AND GRAIN FIRMS

The Clerk called the joint resolution (H. J. Res. 421) authorizing and directing the Comptroller General of the United States to certify for payment certain claims of grain elevators and grain firms to cover insurance and interest on wheat during the years 1919 and 1920 as per a certain contract authorized by the President.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the joint resolution may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

APPOINTMENT OF POSTMASTERS

The Clerk called the next bill, H. R. 8037, to amend the law relating to appointment of postmasters.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

CLAIMS OF INDIANS OF CALIFORNIA

The Clerk called the next bill, S. 1651, to amend the act entitled "An act authorizing the attorney general of the State of California to bring suit in the Court of Claims on behalf of the Indians of California," approved May 18, 1928 (45 Stat. 602).

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that this bill be referred back to the Committee on Indian Affairs.

The Speaker. The gentleman from California asks unanimous consent that the bill be rereferred to the Committee on Indian Affairs. Is there objection?

There was no objection.

CLAIMS OF THE SEMINOLE INDIANS

The Clerk called the next bill, H. R. 7271, authorizing the District Court of the United States for the Eastern District of Oklahoma to hear and determine certain claims of the Seminole Nation or Tribe of Indians.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

LOSS OF CROPS BY HAILSTORMS

The Clerk called the joint resolution (S. J. Res. 201) for the relief of certain persons conducting farming operations whose crops were destroyed by hailstorms.

Mr. WOLCOTT. Mr. Speaker, this joint resolution covers a class of catastrophe which is covered by Public, No. 5, of the Seventy-fifth Congress. It will be recalled we provided

\$20,000,000 to the Disaster Loan Corporation to be made available for this purpose. It is my opinion that hailstorms constitute a disaster which would come within the terms of that act, and we amended the act to include disasters of 1937, and with this in mind I ask unanimous consent that the joint resolution be passed over without prejudice.

Mr. FULMER. Mr. Speaker, reserving the right to object, may I say to my colleague that when we had the Consent Calendar up before the only objection appeared to be that this was a local matter and did not apply to other States that might want to come within the scope of the bill, and referring to the statement made by the gentleman, if it had been possible for these people whose crops were really destroyed by hailstorms, to have received any benefits under the bill referred to they would have been taken care of. I have an amendment which I propose to offer, eliminating any definite amount whatsoever and leaving it with the Secretary of Agriculture to determine the amount, and the bill as amended will apply to any State where farmers have suffered from hailstorm or drought, and I hope the gentleman will accept such an amendment. It may be there will be very little money, if any, paid out, but if so it will apply to farmers in any State where they have had hail or drought damages to crops in 1937 and where they can comply with the rules and regulations set forth by the Secretary of Agriculture governing such cases.

Mr. WOLCOTT. I may say that this joint resolution would constitute an exception to the general act authorizing loans by the Disaster Loan Corporation and it would establish a precedent whereby anything which might be considered as a local disaster might be hereafter covered by a separate bill. When the Disaster Loan Corporation bill was up for consideration attention was called to numerous local conditions. In one case I remember a frost destroyed the peach crop in Michigan. Because we were convinced that that would be considered a disaster, under that act, the Representatives from Michigan withdrew their amendment so that we would share and share alike with all the other States of the Union. We have windstorms out in Kansas which may not only destroy crops but may tear roofs off of buildings. This is a disaster so far as that locality is concerned, and we made the language of the Disaster Loan Corporation Act general enough to include all such local disasters. For this reason I do not believe we should establish by specific act this relief which will be in conflict with the general procedure, and this is the reason I have asked that the bill go over without prejudice.

Mr. FULMER. May I say to my colleague, that is exactly what I am trying to get around; instead of making it a local matter, to make it general, without even setting forth any amount. There will be no additional appropriation, and the purpose of the bill is to take care of these special disasters of 1937. I am sure, if any of these cases could have come under the general act referred to by the gentleman, they would have been taken care of. I would like to have read by the Clerk for the information of the gentleman the amendment I am proposing.

Mr. WOLCOTT. May I say to the gentleman that if he makes this joint resolution general, then he does exactly the same thing that is already provided by law in Public, No. 5, of the Seventy-fifth Congress, and Public, No. 4, of the Seventy-fifth Congress, and I would like to call the attention of the House to the language of that act, wherein we provide that—

There is hereby created a Disaster Loan Corporation with non-assessable capital stock in an amount not to exceed \$20,000,000. The Reconstruction Finance Corporation is authorized and directed to subscribe for such stock and to make payment therefor from time to time as called out of the unexpended balance of the \$50,000,000 which the Reconstruction Finance Corporation was authorized to lend for catastrophe relief by section 1 of the act of April 17, 1936 (Public, No. 525, 74th Cong.). Such Disaster Loan Corporation shall be managed by officers and agents to be appointed by the Reconstruction Finance Corporation under such rules and regulations as its board of directors may prescribe.

Then in the succeeding sections they are authorized to make, upon terms and conditions established by the Board, loans for catastrophes for 1937.

We later amended the act at the instance of the New England States, as I recall, to cover like catastrophes which had occurred in 1936.

I really think it is a dangerous precedent to start legislating specifically for all conditions which might be considered catastrophes throughout the United States. There is no reason why we should generalize on the gentleman's bill, because if we do we put his bill in direct competition with the agency which we have already set up to give this relief.

Mr. FULMER. May I state that the bill referred to by the gentleman was to take care of damages caused by a severe flood and the amount of the money available under such act has been expended. This joint resolution is fair and covers such damages in any and all of the States in the Union. I hope the gentleman will not object to the joint resolution.

Mr. WOLCOTT. Mr. Speaker, I feel under the circumstances that we should give at least some more time to it. I ask unanimous consent that the joint resolution be passed over without prejudice.

The SPEAKER. Is there objection?

Mr. FULMER. Mr. Speaker, I object.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. WOLCOTT. Mr. Speaker, I object.

Mr. FULMER. Mr. Speaker, I ask unanimous consent to include in the RECORD at this point an amendment which I had proposed to offer to this Senate joint resolution.

The SPEAKER. Is there objection?

There was no objection.

The amendment referred to is as follows:

Strike out line 1 and down to and including line 15 and insert in lieu thereof, the following:

"Resolved, etc., That the Secretary of Agriculture is authorized to make grants through the Resettlement Administration, out of any sums allocated by the President to the Resettlement Administration from the sums appropriated by the Emergency Relief Appropriation Act of 1937, to those farm operators in the United States whose crops were destroyed by hailstorms and droughts during the summer of 1927, and who shall be found by the Secretary to be in need or to have had their credit so impaired as a result of such destruction as to be unable to continue independent farming operations without securing financial assistance."

COMPOSITION OF UNITED STATES NAVY

The Clerk called the bill (H. R. 7777) to further amend section 3 of the act entitled "An act to establish the composition of the United States Navy with respect to the categories of vessels limited by the treaties signed at Washington, February 6, 1922, and at London, April 22, 1930, at the limit prescribed by those treaties; to authorize the construction of certain naval vessels; and for other purposes," approved March 27, 1934 (48 Stat. 505), as amended by the act of June 25, 1936 (49 Stat. 1926; 34 U. S. C., sec. 496).

The SPEAKER. Is there objection?

Mr. TOBEY. Mr. Speaker, I object.

Mr. UMSTEAD. Mr. Speaker, I object.

CLAIMS OF DELAWARE INDIANS

The Clerk called the bill (S. 2326) to amend the act, as amended, entitled "An act to refer the claims of the Delaware Indians to the Court of Claims, with the right of appeal to the Supreme Court of the United States," approved February 7, 1925.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

THIRD PAN AMERICAN HIGHWAY CONFERENCE

The Clerk called House Joint Resolution 659, to authorize an appropriation for the expenses of participation by the United States in the Third Pan American Highway Conference.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, there is a similar Senate joint resolution on the calendar and I ask unanimous consent that the Senate Joint Resolution 284 be substituted for the House joint resolution.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read Senate Joint Resolution 284, as follows:

Resolved, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$15,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Third Pan American Highway Conference, to be held in Chile during the fiscal year 1939, including personal services in the District of Columbia and elsewhere, without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; official cards; printing and binding; entertainment; local transportation; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payment may have been made for any of the purposes herein specified.

The Senate joint resolution was ordered to be read a third time, was read the third time and passed, and a motion to reconsider the vote by which the Senate joint resolution was agreed to was laid on the table.

A House joint resolution (H. J. Res. 659) was ordered to lie on the table.

INTERNATIONAL UNION OF GEODESY AND GEOPHYSICS

The Clerk called House Joint Resolution 660, to authorize and request the President of the United States to invite the International Union of Geodesy and Geophysics to hold its seventh general assembly in the United States during the calendar year 1939, and to invite foreign governments to participate in that general assembly; and to authorize an appropriation to assist in meeting the expenses necessary for participation by the United States in the meeting.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate joint resolution (No. 285) be substituted for the House joint resolution.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the Senate joint resolution as follows:

Resolved, etc., That the President be, and is hereby, authorized and requested to invite the International Union of Geodesy and Geophysics to hold its seventh general assembly in the United States during the calendar year 1939, and to invite foreign governments to participate in that general assembly.

SEC. 2. That the sum of \$5,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing and holding the seventh general assembly of the International Union of Geodesy and Geophysics, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended; communication services; stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; rent in the District of Columbia and elsewhere; printing and binding; entertainment; official cards; purchase of newspapers and periodicals; necessary books and documents; stationery; membership badges; and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments have been made for any of the purposes herein specified.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider the vote by which the Senate joint resolution was agreed to was ordered to lie on the table.

A House joint resolution (H. J. Res. 660) was ordered to lie on the table.

CHOCTAW INDIANS OF MISSISSIPPI

The Clerk called the bill (S. 1478) conferring jurisdiction on the Court of Claims to hear and determine the claims of the Choctaw Indians of the State of Mississippi.

The SPEAKER. Is there objection?

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

TO PREVENT ALIENS FISHING IN THE WATERS OF ALASKA

The Clerk called the bill (H. R. 10432) to amend an act approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska."

There being no objection the Clerk read the bill as follows:

Be it enacted, etc., That section 1 of the act of Congress approved June 14, 1906 (34 Stat. 263), entitled "An act to prevent aliens from fishing in the waters of Alaska", is amended to read as follows:

"That it shall be unlawful for any person not a citizen of the United States, or who has declared his intention to become a citizen of the United States, and is not a bona fide resident therein, or for any company, corporation, or association not organized or authorized to transact business under the laws of any State, Territory, or District thereof, or for any person not a native of Alaska, to catch or kill, or attempt to catch or kill, except with rod, spear, or gaff, any fish of any kind or species whatsoever in any of the waters of Alaska under the jurisdiction of the United States: *Provided, however,* That nothing contained in this act shall prevent those lawfully taking fish in the said waters from selling the same, fresh or cured, in Alaska or in Alaskan waters, to any alien person, company, or vessel then being lawfully in said waters: *Provided further,* That nothing contained in this act shall prevent any person, firm, corporation, or association lawfully entitled to fish in the waters of Alaska from employing as laborers any aliens who can now be lawfully employed under the existing laws of the United States, either at stated wages or by piecework, or both, in connection with the canning, salting, or otherwise preserving of fish: *And provided further,* That any person who is a bona fide resident of Alaska and has been such a resident for the period of 3 consecutive years prior to the date of approval of this act, and who during such 3-year period has been continuously or seasonally engaged in fishing in the waters of Alaska for commercial purposes, may continue to engage in fishing in the waters of Alaska for commercial purposes for the period of 3 years after the date of the approval of this act, although not a citizen of the United States."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

TOWER CLOCK, ESCAMBIA COUNTY COURTHOUSE, FLORIDA

The Clerk called the bill (S. 3220) to authorize the Secretary of the Treasury to transfer the title and all other interests in the old tower clock from the Escambia County Courthouse Building, acquired by the Government by deed, to the Pensacola Historical Society of Pensacola, Escambia County, Fla.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized to permit the removal of the old tower clock in its entirety from the Escambia County Courthouse Building, Pensacola, Fla., which was acquired by the Government from the county of Escambia, Fla., by deed of May 22, 1937, in exchange for the old post-office building, the title and all other interests in said tower clock to be given into the custody of the Pensacola Historical Society of Pensacola, Escambia County, Fla.: *Provided,* That the removal of the clock shall be without expense to the Government.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RAILROAD EMPLOYERS' LIABILITY

The Clerk called the next bill, H. R. 10296, to amend an act entitled "An act relating to the liability of common carriers by railroad to their employees in certain cases" approved April 22, 1908, as amended (U. S. C., title 45, ch. 2).

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, will the author of the bill explain its purpose?

Mr. HEALEY. I shall be very happy to do so. The bill is almost self-explanatory, I may say to the gentleman from Michigan. It merely removes from the Employers Liability Act, the act which affects all railroad employees, any rule or regulation which in any way interferes with the right of a fellow employee voluntarily to give information to the next of kin or persons in interest of any employee who is injured or killed in the scope of his employment, and makes it a crime for anyone to intimidate or put him in fear of discharge for giving such information.

Mr. WOLCOTT. Then, as I understand it, this bill will facilitate the hearing of claims of employees against the railroads by making information which the railroads have available to the employee himself or to his next of kin in case of death.

Mr. HEALEY. It makes it possible for the widow of a man who is killed, or the children of a man who is killed to get some information and facts relative to his death. This information is made available also to persons in interest of a man who has been injured; it makes it possible for them to get some evidence.

As I understand it at the present time no employee is willing, for fear of losing his job, to give this evidence in the case of a man who is injured or killed while he is working at his job.

Mr. WOLCOTT. For fear of retaliation.

Mr. HEALEY. Yes.

Mr. WOLCOTT. I think the gentleman has a very fine bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LAMNECK. Mr. Speaker, I object.

Mr. HEALEY. I do not think the gentleman ought to object to this particular bill because it is only just and reasonable that the surviving widow, children, or kin of a railroad employee killed or injured in line of duty get evidence as to the cause of his death or his injury. I hope the gentleman will withdraw his objection.

Mr. LAMNECK. Mr. Speaker, I object.

HERMAN P. KRAFFT

Mr. VINSON of Georgia. Mr. Speaker, I ask unanimous consent that the Committee on Claims be discharged from consideration of the bill (S. 3040) for the relief of Herman P. Krafft, and the bill rereferred to the Committee on Naval Affairs.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

ARMY MULES

The Clerk called the next bill, H. R. 9848, to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, what is the purpose of this bill? As I understand the bill, it prohibits the Department from selling mules which have become unfit for Government service. Why should we not authorize the Department to sell these mules if we can get a little money out of them rather than destroy them?

Mr. COCHRAN. The bill was introduced by the gentleman from Ohio [Mr. HARLAN]; and at the request of about 150 Members of the House the committee considered the bill and authorized me to report it.

The Department in making its report on this bill says that it is today doing exactly what the bill provides. The humane societies from various sections of the country approve the bill.

Mr. CRAWFORD. Mr. Speaker, reserving the right to object, I am not familiar with the bill at all. Will the gentleman tell me what it does? Does this bill prohibit the War Department from selling mules?

Mr. COCHRAN. It does. It requires they be destroyed or placed on pasture.

Mr. WOLCOTT. The Association for the Prevention of Cruelty to Animals apparently is very much concerned that after these mules are sold to private individuals they will not be treated with as much kindness or furnished with as comfortable quarters as they enjoy in the Army service. I have no particular objection to the bill. I want to see these mules and horses properly taken care of in their old age just as Members of Congress should be taken care of in their old age. I just wanted the gentleman to explain what the purpose of the bill was.

Mr. CRAWFORD. Under my reservation of objection, Mr. Speaker, I may say that I am quite familiar with mules and have a little knowledge as to what farmers do with their mules. I am not in favor of this bill and shall object to it.

Mr. BOILEAU. Mr. Speaker, will the gentleman withhold his objection?

Mr. CRAWFORD. Mr. Speaker, I withhold my objection to permit the gentleman to make a statement.

Mr. BOILEAU. I call the gentleman's attention to the fact that this bill does not provide that when the Government is through using the horse or mule it must be disposed of. It says when the horse or mule is unfit for service. It does not say "unfit for service in the Army or Government," but when a horse is unfit that it shall not be sold to a junk man or someone who will abuse the horse. The horse might be unfit for military service in the Army but it still may be sold and disposed of. The gentleman from New York suggests that is what it means, but the language of the bill does not so provide. I think with that understanding the bill ought to pass.

Mr. CRAWFORD. The whole thing resolves itself down to what you mean by "unfit for service."

Mr. BOILEAU. It does not say "unfit for service in the Government Department." It means if a horse or mule is so crippled or has other disabilities it shall not be sold to some junk man for ten or fifteen dollars.

Mrs. ROGERS of Massachusetts. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentlewoman from Massachusetts.

Mrs. ROGERS of Massachusetts. Certain people have made a very careful investigation of this matter and they say that many of these mules have been sold and actually abused. The mules that are unfit for service are the ones to be protected. Of course, they will not be dismissed or released from the service if they are fit for use. I hope the gentleman will not object.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. May I call the gentleman's attention to the Army report on this bill, which points out that it is the policy of the War Department at the present time to follow substantially this principle, but the proposed bill would make it mandatory. It also points out that the average age of condemned horses and mules sold during the calendar years 1936 and 1937 was approximately 11 years. Anyone who knows anything about horses and mules knows that many animals 11 years old still have useful years and should not be put to death. I do not think it is humane to destroy an 11-year-old horse just because the Army is through with him. The bill should be amended or else should be objected to.

Mr. DIES. Will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Texas.

Mr. DIES. If this bill should pass, is there any danger it will be used as a precedent in the future treatment of Members of Congress?

Mr. CRAWFORD. It might be.

The SPEAKER. Is it the intention of the gentleman from Michigan [Mr. CRAWFORD] to object to the bill?

Mr. CRAWFORD. Mr. Speaker, I object.

Mr. HARLAN. Will the gentleman withhold his objection?

Mr. CRAWFORD. I reserve the objection.

Mr. HARLAN. Mr. Speaker, this is my bill and I just came into the Chamber. I think there might be a few things I may say that will be helpful.

The letter of the Secretary of War attached to the report simply covers the War Department horses and to that extent he is correct. But that is not our problem. Here is the situation with reference to these animals owned by the Government. First, the War Department uses them and then after about 11 years of service on the average the War Department does one of three things. It either shoots the

horse, it puts him out to pasture, or sells and transfers him to another agency. Secretary Woodring is absolutely right in his report. We are not interested in those horses, but we are interested in the horses that pass from the War Department to another governmental agency. He is correct in saying that so far as the War Department is concerned there is no need for this legislation because they protect all the horses worth saving that they do not turn over to another agency.

The thing that brought this proposition to the surface was the sale of five horses here in Washington. Some of them came from the Industrial School. I do not know where the others came from. But they were engaged in some kind of work and were from 19 to 21 years of age. Those horses fortunately were purchased by the humane society here with the exception of one. They were crippled.

The humane society has repeatedly taken this up with the Attorney General and the War Department. The Attorney General has given opinions that they cannot do anything but sell these horses and mules because under the section which we seek to amend here a horse has some value, and under the statute they have to sell the horse. After the War Department has used these horses and mules from 8 to 11 years and after some other department has then used 5 or 6 years more out of the horse or mule, it gives that agency control over those horses when they are tottering, comparable to a man 70 years of age in condition of the body. It gives them the privilege of shooting those horses or putting them out to pasture.

Mr. CASE of South Dakota. Will the gentleman yield?

Mr. HARLAN. I yield to the gentleman from South Dakota.

Mr. CASE of South Dakota. I call the gentleman's attention to the report of the War Department which says that at the present time they are providing for the destruction of animals when they think that is the proper thing to do. But they point out this legislation, if passed, would become mandatory and would preclude any deviation from that course. An animal that is 11 years of age may be fit for further use, but if deemed not fit for further Army use, the War Department, under this bill, could do nothing else but shoot the horse or put him out to pasture. I would not object to the pasture part, but many an old horse might prefer to do a little occasional work to being shot. Why not let the Army have a little discretion in the matter?

Mr. HARLAN. Under the law, they have to turn them over to the Procurement Division.

Mr. CASE of South Dakota. And the Procurement Division can either sell him or transfer him to some other agency—under present law but not if we pass this bill worded as it now is.

Mr. DIES. I agree with the gentleman that these mules should not be sold to junk dealers, but may I call the gentleman's attention to the fact that so far as I am concerned I have seen a good many mules much older than 11 years that were strong, hearty, and doing good work?

Mr. HARLAN. Certainly. The Government uses every year's service there is in the horse as long as they can get the value of the food out of these animals. They continue to work them. The Procurement Division tells me that they dispose every year of somewhat less than 100 horses, and this includes the entire United States, Alaska, and in all the different departments. This proceeding, Mr. Speaker, will cost the Government almost nothing. In every one of our municipalities if they take the horses that are destroyed to a reduction plant and kill them there they can get \$10 for the horse right there for his hide.

Mr. DIES. This is not a Townsend old-age pension plan for mules, is it?

Mr. HARLAN. No.

Mr. MAVERICK. I may say to the gentleman that when I was on the farm we got an old army mule that had defective eyesight and her name was Beck. This mule was worked for 11 years, despite its bad eyesight, which was only in one eye.

I rise to memorialize some of these mules. Must we shoot or retire a mule because of military service? Why, such a rule would retire half of us soldiers here in Congress.

I cannot see any reason for this measure.

The gentleman states that an age of 11 years in a mule's life is comparable to 70 years in a man. We have put Justice Van Devanter, of the Supreme Court, to work since he passed that age and quite the Supreme Court. He does light work in lower courts.

No; there is no reason why these old mules should not do some work, nor that they should be destroyed—I mean, shot. The Army has a right to use their discretion now; let them continue.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

COMMITTEE ON PURCHASES OF BLIND-MADE PRODUCTS

The Clerk called the next bill, S. 2819, to create a Committee on Purchases of Blind-made Products, and for other purposes.

Mr. SHEPPARD. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

INVESTIGATION AND CONTROL OF VENEREAL DISEASES

The Clerk called the next bill, S. 3290, to impose additional duties upon the United States Public Health Service in connection with the investigation and control of the venereal diseases.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved July 9, 1918, is hereby amended by adding, after section 4 of chapter XV (40 Stat. 886; U. S. C., title 42, sec. 25), sections 4a, 4b, 4c, 4d, and 4e, to read as follows:

"(a) For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate measures for the prevention, treatment, and control of the venereal diseases; for the purpose of making studies, investigations, and demonstrations to develop more effective measures of prevention, treatment, and control of the venereal diseases, including the training of personnel; for the pay, allowances, and traveling expenses of commissioned officers and other personnel assigned to duties in carrying out the purposes of this act in the District of Columbia and elsewhere; and for the printing of reports, documents, and other material relating thereto, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1939, the sum of \$3,000,000; for the fiscal year ending June 30, 1940, the sum of \$5,000,000; for the fiscal year ending June 30, 1941, the sum of \$7,000,000; and for each of the 10 fiscal years thereafter such sum as may be needed to carry out the purposes of this act.

"(b) Prior to the beginning of each fiscal year the Surgeon General of the Public Health Service shall determine, out of the appropriations made pursuant to section 4 (a), the sum to be allotted to the several States, including the District of Columbia, Alaska, Puerto Rico, and Hawaii. The Surgeon General shall then allot such sum to the several States upon the basis of (1) the population (2) the extent of the venereal-disease problem, and (3) the financial needs of the respective States. Upon making such allotments he shall certify the amounts thereof to the Secretary of the Treasury. The amount of an allotment to any State for any fiscal year remaining unpaid at the end of such fiscal year shall be available for allotment to the States for the succeeding fiscal year in addition to the amount appropriated and available for such fiscal year.

"(c) Prior to the beginning of each quarter of the fiscal year the Surgeon General of the Public Health Service shall determine the amount to be paid to each State for such quarter from the allotment to such State, and shall certify the amount so determined to the Secretary of the Treasury. Upon receipt of such certification, the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay in accordance with such certification. The moneys so paid to any State shall be expended in carrying out the purposes specified in section 4 (a), and in accordance with plans presented by the health authority of such State and approved by the Surgeon General of the Public Health Service.

"(d) With the approval of the Secretary of the Treasury and after consultation with a conference of State and Territorial health

officers, the Surgeon General of the Public Health Service is authorized to prescribe the rules and regulations necessary to carry out the purposes of this act.

"(e) This act shall not be construed as superseding or limiting the functions, under any other act, of the Public Health Service relating to the prevention, treatment, and control of venereal diseases, or the expenditure of money therefor."

With the following committee amendments:

Page 1, line 7, strike out "(a)" and insert "Sec. 4a."
 Page 2, line 6, after the word "purposes", insert "of sections 4a to 4e, inclusive."
 Page 2, line 10, after the figures, insert "not exceeding."
 Page 2, line 12, after the figures, insert "not exceeding."
 Page 2, line 13, after the figures, insert "not exceeding."
 Page 2, line 14, strike out "of the 10 fiscal years" and insert "fiscal year."
 Page 2, line 15, strike out the word "needed" and insert "deemed necessary."
 Page 2, line 16, after the word "purposes", insert "of sections 4a to 4e, inclusive."
 Page 2, line 18, strike out "(b)" and insert "Sec. 4b."
 Page 2, line 21, strike out "4 (a)" and insert "4a."
 Page 2, line 22, after "Puerto Rico", insert "Virgin Islands."
 Page 3, line 9, strike out "(c)" and insert "Sec. 4c."
 Page 3, line 20, strike out "4 (a)" and insert "4a."
 Page 3, line 23, strike out "(d)" and insert "Sec. 4d."
 Page 4, line 2, after the word "purposes", insert "of sections 4a to 4e, inclusive."
 Page 4, line 4, strike out "(c) This act" and insert "Sec. 4e. Sections 4a and 4e, inclusive, of this act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LONGEVITY PAY OF WARRANT OFFICERS

The Clerk called the next bill, H. R. 3618, to reestablish the longevity pay of warrant officers.

Mr. TABER. Reserving the right to object, Mr. Speaker, I wonder if whoever has charge of this bill will tell us something about what it will cost?

Mr. EDMISTON. Mr. Speaker, I shall be glad to explain to the gentleman. This bill puts the warrant officers of the Army on the same longevity-pay basis as similar officers of the Navy and Marine Corps and equalizes the longevity pay of warrant officers in the three branches of the service.

Mr. TABER. Have not they had this pay before?

Mr. EDMISTON. They had it before, but it was taken away from them by a previous act, the date of which I cannot recall.

Mr. TABER. How much will it cost?

Mr. EDMISTON. Seven hundred and forty-eight thousand dollars.

Mr. TABER. A year?

Mr. EDMISTON. Yes. I may say to the gentleman that to my mind officers of the same grade in the services should be on an equal-pay basis. I do not see why the warrant officers of the Army should be paid less than warrant officers of the Navy or Marine Corps who perform the same functions. The fairness of this measure is the reason the committee reported it out.

Mr. TABER. Is it actually true that warrant officers in the Army receive less than warrant officers in the Navy?

Mr. EDMISTON. Yes. They are of exactly the same grade but are getting less pay.

Mr. TABER. The War Department does not recommend the bill. In the Secretary's letter it is stated—

For the foregoing reasons the War Department does not recommend that H. R. 3618 be enacted into law.

Mr. EDMISTON. I may say to the gentleman that an official of the War Department admitted before the Committee on Military Affairs that these warrant officers are most valuable to the service, and he thought the existing rate of pay is unfair to them.

Mr. TABER. Mr. Speaker, under the circumstances, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

MONUMENT TO GEN. PETER GABRIEL MUHLENBERG

The Clerk called the resolution (H. J. Res. 631) to provide for the erection of a monument to the memory of Gen. Peter Gabriel Muhlenberg.

Mr. MAVERICK. Reserving the right to object, Mr. Speaker, I ask that the gentleman explain this bill, for the reason that the other day we were asked to provide for the erection of a monument to the memory of Newton Baker, who has been dead only a few months.

If we adopt the policy of having monuments built all over this country by the Federal Government, we will eventually spend hundreds of millions of dollars on monuments. The question is whether or not it is a wise policy for this Government to go in the monument-building business, especially in a haphazard way of each Congressman asking for such appropriations.

Mr. ROBERTSON. I shall be pleased to explain this measure to the gentleman from Texas.

This resolution authorizes the appropriation of \$25,000 to erect a monument to the memory of Gen. Peter Gabriel Muhlenberg at Woodstock, Va.

It has the endorsement of the Fine Arts Commission, under which the project, if authorized, will be carried out. It has the endorsement of the Daughters of the American Revolution. It has the endorsement of the Lutheran Church of America, of which he was one of its most distinguished members. It has the endorsement of a large number of people who like myself have been more or less surprised and somewhat disappointed to find that of all of the native-born American patriots who distinguished themselves in the Revolutionary War, a personal and individual monument by this Government has been erected to only two, General Washington and General Greene. We did erect a monument to our distinguished friend from France, General Lafayette, to Pulaski, to De Kalb, and to several others, but only to two American generals, and General Muhlenberg was one of the most distinguished. He came down to Virginia when he was only 25 years old, where he soon attracted attention as a preacher in a small community.

I say he came from Pennsylvania to Virginia and we sent him to our general assembly before he was 28 years old, where he attracted the attention of Washington; and Washington, when hostilities were declared, gave him a commission as a colonel in the Continental Army. Muhlenberg's soul was fired with love of religious freedom and its handmaiden, political freedom, and on a famous Sunday morning in his little church at Woodstock he preached a stirring sermon on freedom, and at the conclusion of that message threw aside his clerical robes and disclosed the uniform of a colonel of the Continental Army. He said, "There is a time to pray and a time to fight, and the time has come to fight," and he called upon the members of his church and of his community to follow him, and they did follow him. They had no uniforms except their coonskin caps and leather breeches; no arms except their squirrel rifles, but behind those rifles was burning patriotism and indomitable courage. He took them to Sullivan's Island, to Brandywine, to Germantown, to Valley Forge, to Monmouth, and to Stony Point. He took them to Yorktown where he rendered service in the defeat of Cornwallis, second only to that of Lafayette.

Mr. MAVERICK. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON. I yield.

Mr. MAVERICK. I do not doubt all the things the gentleman has said from a sentimental viewpoint and a historical viewpoint. I do not know the details, but I know Muhlenberg was a great patriot. Perhaps he has been dead long enough for Congress to spend some money on a monument; no doubt the purpose is quite laudable. But what does the gentleman think about the general tendency of the Federal Government in buying monuments and putting them up all over the United States? I could make the same speech for Sam Houston and several other Texas heroes. Sam Houston was born in Rockbridge County, Va., near where this monument is sought to be placed. But how are we to proceed, to determine, and finally do justice to all our heroes?

Mr. ROBERTSON. I may say to my friend from Texas that I want as many people of this Nation as possible to have the experience I had Saturday when I visited the cradle of American independence, the home of Paul Revere, and Christ Church, where the lanterns were displayed to indicate the British were approaching Boston by sea; the Bunker Hill Monument; the commons at the little town of Lexington, where the British in an unprovoked way fired upon the soldiers gathered there and to whose memory loving hands have erected a monument on which they have inscribed:

Sacred to liberty and the rights of mankind,
The freedom and independence of America,
Sealed and defended with the blood of her sons.

I would like for them to go to the Old North Bridge where the Minute Men repulsed a superior British force and see the monument on which has been inscribed:

By the rude bridge that arched the flood,
Their flag to April's breeze unfurled,
Here once the embattled farmers stood
And fired the shot heard round the world.

Mr. MAVERICK. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

Mr. ROBERTSON. The gentleman asked me to answer a question.

Mr. MAVERICK. The reason I want to pass this bill over is because I do not believe this Chamber realizes the policy we are embarking upon. Let us take time to think this over. What are we doing? We are embarking upon a monument-building policy.

We have got three of these bills on one page—one for Newton Baker, who is hardly cold in his grave, and it is proposed we build a monument to him.

Mr. ROBERTSON. Will the gentleman let me finish my answer to his question, please?

Mr. MAVERICK. I want to make that request at the end of the gentleman's statement.

Mr. ROBERTSON. Will the gentleman be kind enough to let me finish answering his first question before he cuts off debate?

Mr. MAVERICK. Of course.

Mr. ROBERTSON. Mr. Speaker, the gentleman from Texas asked me why we should build monuments to our Revolutionary heroes.

Mr. Speaker, our fundamental institutions are under attack in this Nation today. If there ever was a time when we need to bring home to the people of the country the need for patriotism, it is now. There will not be so many of these shrines built because we never have had enough national heroes to bankrupt the Treasury in doing honor to them; and I say further to my friend from Texas [Mr. MAVERICK] that in truth it is said that the generation that does not honor the memory of the great men that preceded it will leave little by which it will be remembered by succeeding generations. The shot that was fired at the old North Bridge might not have been heard around the world, but it was heard in Virginia. Patrick Henry heard it and exclaimed in St. John's Church in Richmond that each breath from the North brings to our ears the clash of resounding arms, and this young Lutheran preacher heard it and he responded to that call, and, as I say, took his men to Washington's command and fought with them through the whole war. He was then elected to this body. His brother was our first Speaker. He was elected to the Senate and Pennsylvania placed a statue of him in the Hall of Fame.

Mr. MAVERICK. Mr. Speaker, will the gentleman yield?

Mr. ROBERTSON. I yield.

Mr. MAVERICK. Then his niche in the Hall of Fame, plus the name that cannot be wiped out, ought to be enough. But I am not going to make any statement about passing this over or otherwise. However, I believe this House ought to begin considering the subject of building monuments here and there over the country.

Why, I repeat, I have a half dozen monuments that I would like to have built in a beautiful spot in Texas, most of them in my district, of course. I am not going to object, but I think this House ought to consider the fact that we are not going to do any good by this constant building of monuments here and there.

If we are to do so, we ought to have an accepted way of accomplishing it. Sometime ago I introduced a bill for the preservation of historic sites, which was passed; it is a commission under the Department of the Interior, and is supposed to pass on such matters. This, however, is not for preservation, but for building something new—so they have no jurisdiction.

In all justice, we have many, many heroes. Should we build a statue for one, because a Congressman is very active, and neglect another hero? I think not; and moreover, it is a very difficult question. I know many men who were killed in battle, real heroes, and no monument rises to them.

Mr. ROBERTSON. I say to my friend from Texas that whenever he introduces a bill to erect a monument to a patriot of the type of Muhlenberg he will have my hearty support in the undertaking. We should make a reality of the symbolism of the flag that General Muhlenberg helped to bring into being, of the loyalty of the blue background, of the courage of the red stripes, of the purity of the white bars—a reality of the unity that those 48 stars symbolize, a great nation stretching from ocean to ocean. We are proud of that flag. There was a time, and may the recording angel blot it out with a tear, when, as Webster predicted, our land was drenched in fraternal blood. But men from the Valley of Virginia, under the leadership of a great patriot from Pennsylvania, helped to raise that flag above the snows of Valley Forge. They served under John Paul Jones when it flew from his masthead, and disputed on equal terms with the cross of St. George its ancient lordship of the seas; they followed Scott when he carried it to the heights of Montezuma in the Mexican War; and when the call came in 1917 to again bear arms in defense of an ideal of government, the sons of those who had worn the gray and the sons of those who had worn the blue were united in the khaki of the American Expeditionary Forces. Taking that flag that now bore its full complement of 48 stars, they carried it, for the first time, upon an European battlefield, where it there received, as its baptism of fire, a salute from the arsenals of hell. Never was the country more united than it was in the undertaking to win the World War, but now our country is pulling apart when the need for unity is even greater than in 1917. Now the patriotism of the youth of the land is waning, although the economic war has as great need for patriots as did the World War. There is as much need today for Virginia, Pennsylvania, and Massachusetts to be united in saving the Union as it was for them to be united in winning our freedom from the British. General Muhlenberg and his copatriots, through unity of spirit and purpose, laid the foundation for constitutional American liberty. Upon it we should endeavor to erect a superstructure of democratic institutions that will be the wonder and the envy of the world. For such an undertaking, we must have patriotic manhood, sterling character. How better can we inculcate such qualities in the youth of the present generation than by honoring a man who exemplified them in the highest degree?

Mr. BEITER. Mr. Speaker, if the gentleman will permit, I believe the gentleman from Texas [Mr. MAVERICK] is going to withdraw his request that the bill go over without prejudice.

The SPEAKER. The gentleman from Texas asks unanimous consent that the bill be passed over without prejudice.

Mr. MAVERICK. Mr. Speaker, Mr. ROBERTSON, our friend from Virginia, has made an eloquent appeal. He is to be complimented for his sentiments, and likewise for his desire to have such a monument.

And since I dislike making objection or of setting myself up as a censor, I am not going to object. But I insist we

should establish some policy; let us determine whether we really want to be building these individual monuments on individual appeals of individual Congressmen. Possibly it would be better to honor our heroes by really solving our economic ills, or at least trying a little harder. Should we decide to build monuments, let us have some accepted method, rather than the present haphazard system.

I withdraw my objection, but I do not promise to do so in similar circumstances in the future.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WADSWORTH. Mr. Speaker, I object.

MEMORIAL TO THE LATE NEWTON D. BAKER

The Clerk called the joint resolution (H. J. Res. 656) to provide for the erection of a memorial to the memory of Newton D. Baker.

The SPEAKER. Is there objection?

Mr. MAVERICK. Mr. Speaker, I reserve the right to object. It seems to me that if we are not going to build a monument to General Muhlenburg, who has been dead about 150 years, then we ought not to build a monument to a man who is hardly cold in his grave.

I would like to see some justification for our erecting a monument to Newton D. Baker at this time. The other day we refused to erect a monument in memory of Gen. Frederick Funston, a more spectacular man and probably a greater one than Mr. Baker, although I do not want to argue about either one of them.

If we are going into the policy of building monuments, then I think the matter ought to be passed on by some proper committee after we have adopted the policy.

Mr. RANDOLPH. Mr. Speaker, will the gentleman yield?

Mr. MAVERICK. I yield to my good friend from West Virginia.

Mr. RANDOLPH. The resolution presented by the gentleman from Virginia [Mr. ROBERTSON] and the resolution of my own now before the House, were passed on by the Library Committee, and the Republicans [Mr. TREADWAY and Mr. LORD], as well as the Democratic members of the committee, joined in a unanimous report on the resolutions.

Mr. MAVERICK. Mr. Speaker, if I do not object, a Republican will, for I see a hungry look on one of their faces. I hate to do it, because if any man is unselfish and works day and night for his district it is Mr. RANDOLPH. He works day and night for his people, on the ground, under the ground, and up in the air. Besides, he is a distinguished Member, recognized over the country. But I cannot bring myself to think that we should now use Federal moneys to memorialize a man who is hardly cold in his grave. I therefore regretfully object to the bill sponsored by my energetic friend [Mr. RANDOLPH].

REFUNDING CERTAIN SUMS PAID BY RAILROADS

The Clerk called the bill (S. 3526) to provide for reimbursing certain railroads for sums paid into the Treasury of the United States under an unconstitutional act of Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

REFUNDING OF INVALIDATED TAXES

Mr. CASE of South Dakota. Mr. Speaker, reserving the right to object, this bill should not be passed without there being called to the attention of the House just what is being done. I was a member of the subcommittee that considered the bill. I did not object to the reporting of the bill, and I shall not object to its passage, but I feel that the House should know exactly what is being done. Members will get letters from farmers in their territory wanting to know why they passed the bill to refund to the railroads taxes collected under an invalidated tax law and did not pass legislation that is proposed to refund the hog processing taxes to the farmers, under a similarly invalidated tax. The principle involved is the same.

Mr. ANDRESEN of Minnesota. Will the gentleman yield?

Mr. CASE of South Dakota. I yield.

Mr. ANDRESEN of Minnesota. The bill to which the gentleman refers, about the refunding of the processing taxes to farmers, on the processing of hogs, has been reported favorably by the subcommittee of the Committee on Agriculture and is now before the full committee.

Mr. CASE of South Dakota. I hope the full committee will report it to the House promptly.

The pending bill provides a refund of approximately \$138,000 to railroads which was paid by them under protest, into the railroad retirement trust fund under the first retirement act. Subsequently the law was invalidated by the Supreme Court. There remains in the Treasury about \$12,000 of the tax that was collected. So this refund will cost the Treasury approximately \$126,000. The claims of the railroads range from a very few dollars up to \$12,000. Most of them are relatively small claims, because over 150 railroad companies and express companies are involved. The principle, however, is that of refunding a tax collected under a law which was subsequently invalidated.

Dr. Black, of the Department of Agriculture, has found that the farmers paid the hog processing tax. If we pass this bill, we have a perfect precedent for the passage of the bill refunding hog processing taxes to the hog raisers. I hope the Committee on Agriculture will promptly report that bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SHEPPARD. Mr. Speaker, I object.

ARMY MULES

Mr. HARLAN. Mr. Speaker, since Calendar No. 698, the bill relating to army mules and horses was passed, an amendment to the bill has been agreed upon which I think is acceptable to all concerned. I, therefore, ask unanimous consent to return to the bill H. R. 9848, Calendar No. 698, for consideration and amendment.

Mr. COSTELLO. Mr. Speaker, reserving the right to object, if we return to one bill on the calendar it would seem to me we would have to return to other bills that had been passed over if any Member requested it. I do not think the request should be made during the call of the calendar, or until the end of the calendar is reached. For that reason I shall object at the present time.

The SPEAKER. Objection is heard to returning to this bill at this time.

CAMP MERRITT, N. J.

The Clerk called the next bill, H. R. 71, to provide for the establishment of a national monument on the site of Camp Merritt, N. J.

Mr. WOLCOTT. Mr. Speaker, I make a point of order against the consideration of this bill on the Consent Calendar, and if the Chair holds with me on the point of order, the bill should be stricken from the calendar.

This bill was objected to and stricken from the Consent Calendar on April 4, 1938. The Chair, of course, will take judicial notice of the fact that that was during the same session of the Congress in which we are now sitting. The rule provides:

Should objection be made to the consideration of any bill so called it shall be carried over on the calendar without prejudice to the next day when the Consent Calendar is again called, and if objected to by three or more Members, it shall be immediately stricken from the calendar and shall not thereafter during the same session of that Congress be placed thereon.

Mr. Speaker, I contend that the placing of this bill back upon the Consent Calendar is in violation of this rule.

The SPEAKER. The Chair is informed that the RECORD will show that on May 3 on motion of Mr. McLEAN, by unanimous consent, the bill was restored to the Consent Calendar. Under these circumstances the Chair feels, the action having been taken by unanimous consent of the House, that the point of order is not well taken.

Mr. WOLCOTT. I may say to the Chair that I was not advised that it had been restored by unanimous consent. I withdraw my point of order.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WOLCOTT. Mr. Speaker, I object.

The SPEAKER. The Chair is of opinion that under the circumstances three objections would be required to stop consideration of the bill.

Mr. WOLCOTT, Mr. TABER, and Mr. CHURCH objected.

BRIDGE ACROSS DELAWARE RIVER, PORT JERVIS, N. Y.

The Clerk called the next bill, S. 3149, authorizing the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Delaware River between points in the city of Port Jervis, Orange County, N. Y., and the Borough of Matamoras, Pike County, Pa.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to facilitate interstate commerce, improve the Postal Service, and provide for military and other purposes, the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania be, and is hereby, authorized to reconstruct, maintain, and operate a free highway bridge and approaches thereto across the Delaware River between points in the city of Port Jervis, Orange County, N. Y., and the Borough of Matamoras, Pike County, Pa., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon the Interstate Bridge Commission of the State of New York and the Commonwealth of Pennsylvania all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE ACROSS COLUMBIA RIVER AT ASTORIA, OREG.

The Clerk called the next bill, S. 3213, to amend the act entitled "An act authorizing the Oregon-Washington Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oreg.," approved June 13, 1934, as amended.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last sentence of the first section of the act entitled "An act authorizing the Oregon-Washington Bridge Board of Trustees to construct, maintain, and operate a toll bridge across the Columbia River at Astoria, Clatsop County, Oreg.," approved June 13, 1934, as amended, is amended to read as follows: "Said board of trustees is hereby granted the power to issue bonds or other securities payable from and secured by bridge revenues for the purpose of financing the construction of the said bridge and the right to assign, transfer, and mortgage all the rights, powers, and privileges conferred by this act."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR COMMENCING AND COMPLETING CONSTRUCTION OF BRIDGE ACROSS THE MISSOURI RIVER (RANDOLPH, MO.)

The Clerk called the next bill, S. 3532, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Randolph, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Missouri River at or near Randolph, Mo., authorized to be built by The Kansas City Southern Railway Co., its successors and assigns, by an act of Congress approved May 24, 1928, heretofore extended by acts of Congress approved March 1, 1929, May 14, 1930, February 6, 1931, May 6, 1932, January 19, 1933, April 9, 1934, and April 10, 1936, are

hereby further extended 2 and 4 years, respectively, from May 24, 1938.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO EXTEND THE TIMES FOR COMMENCING AND COMPLETING THE CONSTRUCTION OF A BRIDGE OVER LAKE SABINE (PORT ARTHUR, TEX.)

The Clerk called the next bill, H. R. 9975, to extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Tex.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEITER. Mr. Speaker, the author of the bill is present and I would like to have him explain it.

Mr. DIES. Mr. Speaker, there is a project pending before the Public Works Administration for the construction of a bridge across Lake Sabine. All we are asking is that the time for commencement may be postponed in order that we may secure funds from a new appropriation.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge over Lake Sabine, at or near Port Arthur, Tex., authorized to be built by the city of Port Arthur, Tex., or the Port Arthur Bridge Authority and its successors, by an act of Congress approved June 18, 1934 (48 Stat. 1008), and heretofore amended and extended by acts of Congress approved April 10, 1936, and August 12, 1937, are hereby further extended 1 and 3 years, respectively, from August 12, 1938.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 1, line 6, strike out "authority" and insert the word "Commission."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS THE MISSISSIPPI RIVER FROM GREENVILLE, MISS., TO LAKE VILLAGE, ARK.

The Clerk called the next bill, H. R. 9983, authorizing the city of Greenville, Miss., and Washington County, Miss., singly or jointly, to construct, maintain, and operate a toll bridge across the Mississippi River from a point at or near the city of Greenville, Washington County, Miss., to a point at or near Lake Village, Chicot County, Ark.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KITCHENS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Mississippi [Mr. WHITTINGTON] a question? As I understand it, this meets the approval of the Arkansas authorities and the Mississippi authorities who have been working on this proposition for some time?

Mr. WHITTINGTON. That is my understanding.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the city of Greenville, Miss., and Washington County, Miss., singly or jointly, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, from or near Greenville, Washington County, Miss., to a point at or near Lake Village, Chicot County, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. There is hereby conferred upon the city of Greenville, Miss., and Washington County, Miss., acting singly or jointly, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge

and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Sec. 3. The said city of Greenville, Miss., and Washington County, Miss., acting singly or jointly, be, and are hereby, authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

Sec. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, line 14, strike out all after the word "tolls", and lines 15, 16, 17, and "ment" in line 18.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENSION OF TIME FOR COMMENCING AND COMPLETING CONSTRUCTION OF A BRIDGE ACROSS MISSOURI RIVER AT OR NEAR BROWNVILLE, NEBR.

The Clerk called the next bill, H. R. 10075, to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Brownville, Nebr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge across the Missouri River, at or near Brownville, Nebr., authorized to be built by the county of Atchison, State of Missouri, and the county of Nemaha, State of Nebraska, singly or jointly, by section 18 of the act of Congress approved August 30, 1935, heretofore extended by act of Congress approved March 10, 1937, are hereby extended 1 and 3 years, respectively, from June 19, 1938.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 2, line 1, strike out "act" and insert in lieu thereof "acts", and after the word "approved" insert "June 19, 1936."

Page 2, line 2, before the word "March" insert the word "and."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS NAVIGABLE WATERS IN SUFFOLK COUNTY, N. Y.

The Clerk called the next bill, H. R. 10117, granting the consent of Congress to construct, maintain, and operate a toll bridge, known as the Smith Point Bridge, across navigable waters at or near Mastic, southerly to Fire Island, Suffolk County, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Suffolk, State of New York, or to any public instrumentality created or provided for under the laws of the State of New York, to construct, maintain, and operate a bridge and approaches thereto across navigable waters in the county of Suffolk, State of New York, separating the strip of land known as Fire Island from the southerly side of Long Island at a point near Mastic, known as Smith Point southerly to the said strip of land known as Fire Island, in said county of Suffolk, State of New York, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, after the word "York", strike out the remainder of line 4, all of line 5, and the words "of New York" in line 6.

Page 2, line 19, after the word "tolls", strike out the remainder of the line and all of lines 20, 21, 22, down to and including the word "management" in line 23.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TOLL BRIDGE ACROSS NAVIGABLE WATERS IN SUFFOLK COUNTY, N. Y.

The Clerk called the next bill, H. R. 10118, granting the consent of Congress to construct, maintain, and operate toll bridges, known as the Long Island Loop Bridges, across navigable waters at or near East Marion to Shelter Island, and Shelter Island to North Haven, Suffolk County, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Suffolk, State of New York, or to any public instrumentality created or provided for under the laws of the State of New York, to construct, maintain, and operate a bridge and approaches thereto across navigable waters in the county of Suffolk, State of New York, lying between the northerly side of Shelter Island and the southerly side of the north fluke of Long Island, at a point near East Marion, known as Cleaves Point, southerly to Hay Beach Point, Shelter Island, and a bridge and approaches thereto across navigable waters in the county of Suffolk, State of New York, separating the southerly portion of Shelter Island from the northerly portion of North Haven at a point from the southerly side of Shelter Island, known as South Ferry southerly to North Haven, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this act.

Sec. 2. If tolls are charged for the use of such bridges, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridges and their approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridges and their approaches, including reasonable interest and financing cost, as soon as possible under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridges shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridges and their approaches under economical management. An accurate record of the costs of the bridges and their approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Sec. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 4, after the word "York", strike out the remainder of line 4 and all of line 5 down to and including the words "New York" in line 6.

Page 3, line 1, after the word "tolls", strike out the balance of line 1 and all of lines 2, 3, and 4 down to and including the word "management."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL STAFF CORPS

The Clerk called the next bill, H. R. 10317, to remove certain inequitable requirements for eligibility for detail as a member of the General Staff Corps.

Mr. WOLCOTT. Mr. Speaker, this seems to be a very important bill. I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INLAND WATERWAYS CORPORATION

The Clerk called the next bill, H. R. 10464, to amend the Inland Waterways Corporation Act, approved June 3, 1924, as amended, authorizing the Secretary of War to extend the services and operations of the Inland Waterways Corporation to the Cape Fear River and connecting waterways.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

SEVENTY-FIFTH ANNIVERSARY OF THE BATTLES OF CHICKAMAUGA, GA., LOOKOUT MOUNTAIN, TENN., AND MISSIONARY RIDGE, TENN.

The Clerk called the joint resolution (H. J. Res. 667) to authorize an appropriation to aid in defraying the expenses of the observance of the seventy-fifth anniversary of the Battles of Chickamauga, Ga., Lookout Mountain, Tenn., and Missionary Ridge, Tenn.; and to commemorate the one hundredth anniversary of the removal from Tennessee of the Cherokee Indians, at Chattanooga, Tenn., and at Chickamauga, Ga., from September 18 to 24, 1938, inclusive; and for other purposes.

There being no objection, the Clerk read the joint resolution, as follows:

Whereas September 18 to 24, 1938, inclusive, marks the seventy-fifth anniversary of the crucial Battles of Chickamauga, Lookout Mountain, and Missionary Ridge, in the War between the States, and the one hundredth anniversary of peace between the Cherokee Indians and the pioneers of Tennessee, Georgia, and Alabama; and Whereas 16,000 sons of 28 of the sovereign States of the Nation gave their lives upon the battlefields; and

Whereas the consequence of their supreme sacrifice was the preservation of a Union of States that has grown greater and stronger with the passing of the years; and

Whereas these sons of the 28 States who gave their all that this Nation might remain forever one people lie buried in beautiful Chickamauga-Chattanooga National Cemetery; and

Whereas these heroes who gave their lives to the end that their sons and daughters might have the blessings of liberty and freedom that only a united Nation could preserve and sustain have descendants living today in every State of the Union; and

Whereas the Governors of the 28 States whose sons lie buried in Chickamauga-Chattanooga National Cemetery have expressed a desire to give to the people of these respective States an opportunity to make a pilgrimage to this national shrine under appropriate auspices; and

Whereas the peoples of Georgia, Alabama, and Tennessee by action of the Governors of those States have expressed a willingness and a desire to cooperate with the National Government in giving to the people of the several States an opportunity to make this pilgrimage on the seventy-fifth anniversary of the Battles of Chickamauga, Lookout Mountain, and Missionary Ridge; and

Whereas it is fitting that a Nation that has grown great in the strength of a unity preserved and bequeathed to it by those who sacrificed their all should pause to pay homage to its heroic dead; and

Whereas it is fitting that the Nation by appropriate ceremonies should commemorate the one hundredth anniversary of peace between the pioneers and the Indians of the Cherokee race: Therefore be it

Resolved, etc., That the President of the United States is hereby authorized to appoint a commission for the commemoration of the seventy-fifth anniversary of the Battles of Chickamauga, Lookout Mountain, Chattanooga, and Missionary Ridge (hereinafter called the commission).

Sec. 2. The commission shall be composed of three members, all of whom shall be residents of Chattanooga, Tenn. It shall be the duty of the commission to arrange for, supervise, and carry out appropriate observance of the said anniversary. The commission shall elect a chairman and a treasurer from among its members, and is authorized to adopt such rules and regulations for the conduct of its business as it may deem proper.

Sec. 3. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$35,000, or so much thereof as may be necessary, for use by the

commission in defraying expenses necessary for and incident to said observance. Any sums appropriated pursuant to the provisions of this act shall be paid over to the treasurer of the commission by the Treasury of the United States for use by the commission as herein provided. All expenditures made by the commission shall be upon vouchers submitted by the treasurer of the commission and approved by its chairman. On or before the 1st day of January 1939 the commission shall make an accounting of all its expenditures, and a report of its activities to the chairman of the Military Affairs Committee of the House of Representatives.

With the following committee amendments:

Page 3, line 10, after the word "Tennessee" insert "and who shall serve without compensation."

Page 4, line 7, after the word "to", strike out the remainder of line 7, all of line 8, and the word "Representatives" in line 9, and insert the word "Congress."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

MEMORIAL TO MAJ. GEN. GEORGE W. GOETHALS

The Clerk called the next bill, S. 2676, to amend the act approved August 24, 1935, entitled "An act to authorize the erection of a suitable memorial to Maj. Gen. George W. Goethals within the Canal Zone."

Mr. MAVERICK. Reserving the right to object, Mr. Speaker, will the gentleman explain if this bill is in a different category from the rest of the bills providing for the erection of monuments? I know General Goethals is a very great man and ought to have a monument to his memory. His sanitary and medical measures were a great contribution to mankind. But we ought to know why we spend more for a monument to him.

Mr. BLAND. I may say to the gentleman a commission was appointed and this commission reported in favor of a memorial. In the last Congress a bill was passed authorizing a memorial, the amount being limited to \$75,000.

Mr. MAVERICK. Will the gentleman explain what kind of commission this was, because if we can follow that procedure in the future perhaps we can do these things without objection.

Mr. BLAND. It was a commission of approximately five officers. General Pershing was at the head of the commission. Senator SHEPPARD, of Texas, was one of the members. I believe the Secretary of War was on the commission, as well as several other officers. There were about five or six members.

Mr. MAVERICK. Who appointed the commission?

Mr. BLAND. I believe they were appointed by the President. I may say to the gentleman the commission determined the character of the memorial, and after it reported to the President he approved the particular memorial that is to be erected. It is at the mole at the entrance to the Canal Zone, at Cristobal. It was found that after constructing this mole there was left only about \$10,000. The President himself has been very greatly interested in getting through at this time this bill providing for an increased amount, and has taken the matter up with me, as has General Pershing. This is the minimum amount with which it is believed the memorial can be erected.

May I say further that this is not a monument to General Goethals alone. A marble shaft is to be erected. I call attention to the language of Senator SHEPPARD, to the effect that this memorial is to be not only in honor of the builder of the Canal, but a tribute to the entire organization which performed this gigantic feat of construction. The statement was made in a report to the President by General Pershing that the memorial "must be dignified and impressive; and such dignity and impressiveness cannot be obtained within the sum fixed," referring to the amount of \$75,000 fixed in the existing legislation.

Mr. MAVERICK. I thank the gentleman; but insofar as I am concerned, I repeat, a fixed policy should be adopted in the building of monuments. No doubt this and others are meritorious.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 2 of the act to authorize the erection of a suitable memorial to Maj. Gen. George W. Goethals within the Canal Zone, approved August 24, 1935, be, and the same is hereby, amended as follows: Strike out the figures "\$75,000" where they occur in said section and insert in lieu thereof "\$160,000" so that section 2 as amended will read: "There is hereby authorized to be appropriated, out of any moneys in the Treasury of the United States not otherwise appropriated, a sum not to exceed \$160,000 for every object connected with the purposes of this act, including site development and any essential approach work."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENLISTED MEN OF THE COAST GUARD

The Clerk called the next bill, H. R. 10190, to equalize certain allowances for quarters and subsistence of enlisted men of the Coast Guard with those of the Army, Navy, and Marine Corps.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act approved June 20, 1936 (49 Stat. 1545; U. S. C., Supp. III, title 34, sec. 914), is hereby amended, effective as of June 20, 1936, by inserting in line 15 thereof, after the word "Navy," the words "Coast Guard," and by inserting in line 17 thereof, after the words "Marine Corps Band," the words "Coast Guard Academy Band."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

CLEVELAND NATIONAL FOREST, SAN DIEGO COUNTY, CALIF.

The Clerk called the next bill, H. R. 10379, to facilitate the control of soil erosion and/or flood damage originating upon lands within the exterior boundaries of the Cleveland National Forest in San Diego County, Calif.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture, with the approval of the National Forest Reservation Commission established by section 4 of the act of March 1, 1911 (U. S. C., title 16, sec. 513), is hereby authorized to acquire by purchase any lands within the boundaries of the Cleveland National Forest in the county of San Diego, State of California, which, in his judgment, should become the property of the United States in order that they may be so managed with other lands of the United States as to minimize soil erosion and flood damage, and to pay for said lands from those proportions of the entire receipts from the sale of natural resources or occupancy of public land within the Cleveland National Forest which are equal to the proportion of the net areas of said forest which are within the county of San Diego, State of California, which receipts are hereby authorized to be appropriated for that purpose until said lands have been acquired: *Provided*, That so long as said receipts are used in the manner herein authorized, the provisions of the act approved May 23, 1908 (U. S. C., title 16, sec. 500), shall not be applicable to said county of San Diego.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

THE 4-H CLUBS

The Clerk called the next bill, H. R. 10482, to prohibit the unauthorized use of the name or insignia of the 4-H clubs, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That it shall be unlawful for any person falsely and with intent to defraud to hold himself out as or represent or pretend himself to be a member of, associated with, or an agent or representative for the 4-H clubs, an organization established by the Extension Service of the United States Department of Agriculture and the land-grant colleges, for any purpose whatsoever; or for any person with intent to defraud to wear or display the sign or emblem of said 4-H clubs or any insignia in colorable imitation thereof for the purpose of inducing the belief that he is a member of, associated with, or an agent or representative for said 4-H clubs. It shall be unlawful for any person other than said 4-H clubs, and those duly authorized by them, the representatives of the United States Department of Agriculture, the land-grant colleges, and persons authorized

by the Secretary of Agriculture, to use within the territory of the United States of America and its exterior possessions, for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business or charitable purpose, the recognized emblem of said 4-H clubs, consisting of a green four-leaf clover with stem and the letter H in white or gold on each leaflet, or any sign, insignia, or symbol in colorable imitation thereof, or the words "4-H Club" or "4-H Clubs" or any combination of these or other words or characters in colorable imitation thereof. If any person violates any provision of this act, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$300 or imprisoned not more than 6 months, or both, for each and every offense.

Sec. 2. The term "person" includes individuals, partnerships, corporations, and associations.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

PERSONS ERRONEOUSLY CONVICTED IN COURTS OF THE UNITED STATES

The Clerk called the next bill, S. 750, to grant relief to persons erroneously convicted in courts of the United States.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That any person who, having been convicted of any crime or offense against the United States, shall hereafter, on appeal from the judgment of conviction or on the retrial or rehearing of his case, be found to have been innocent of the crime with which he was charged and not guilty of any other offense against the United States, or who after inquiry by the Executive has received a pardon on the ground of innocence, may, under the conditions hereinafter mentioned, apply by petition for indemnification for the pecuniary injury he has sustained through his erroneous conviction and/or imprisonment.

Sec. 2. That the claimant may, within 6 months after he has been finally acquitted or pardoned on the ground of innocence, petition the Court of Claims for the relief granted in this act.

Sec. 3. That the court is hereby authorized to make all needful rules and regulations, consistent with the law, for executing the provisions hereof.

Sec. 4. That the claimant shall have the burden of proving his innocence, in that he must show that the act with which he was charged was not committed at all, or, if committed, was not committed by the accused.

Sec. 5. That the claimant must show that he has not, either intentionally or by willful misconduct or negligence, contributed to bring about his arrest or conviction.

Sec. 6. That the Court of Claims shall examine the validity and amount of all claims included within the terms of this act; they shall receive all suitable testimony on oath or affirmation and all other proper evidence; and they shall report all such conclusions of fact and law as in their judgment may affect the right to relief.

Sec. 7. That upon proof satisfactory to the Court of Claims that the claim is prima facie meritorious and that the claimant is unable to advance the costs of court and of process, the cost of obtaining and printing the record of the original proceedings and of securing the attendance of such witnesses as the chief justice or the presiding judge of the Court of Claims shall certify to be necessary, and the service of all notices required by this act shall be paid out of any unappropriated funds in the Treasury, on presentation to the Secretary of the Treasury of a duly authenticated order, certified by the clerk of the Court of Claims and signed by the chief justice or, in his absence, by the presiding judge of said court.

Sec. 8. That the court shall cause notice of all petitions presented under this act to be served on the Attorney General of the United States, who shall be authorized, by himself or his assistant, to examine witnesses, to cause testimony to be taken, to have access to all testimony taken under this act, and to be heard by the court. He shall resist all claims presented under this act by all proper legal defenses.

Sec. 9. That the Court of Claims in granting or refusing the relief demanded shall take into consideration all the circumstances of the case which may defeat or in any other way affect the right to and the amount of the relief herein provided for, but in no case shall the relief granted exceed \$5,000.

Sec. 10. That in all cases of final judgments by the Court of Claims the sum due thereby shall be paid out of any general or special appropriation made by law for the payment and satisfaction of private claims on presentation to Congress and to the Secretary of the Treasury of a copy of said judgment, certified by the clerk of the Court of Claims, and signed by the chief justice or, in his absence, by the presiding judge of said court.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That any person who, having been convicted of any crime or offense against the United States and having been sentenced to imprisonment and having served all or any part of his sentence,

shall hereafter, on appeal or on a new trial or rehearing, be found not guilty of the crime of which he was convicted or shall hereafter receive a pardon on the ground of innocence, if it shall appear that such person did not commit any of the acts with which he was charged or that his conduct in connection with such charge did not constitute a crime or offense against the United States or any State, Territory, or possession of the United States or the District of Columbia, in which the offense or acts are alleged to have been committed, and that he has not, either intentionally or by willful misconduct or negligence, contributed to bring about his arrest or conviction, may, subject to the limitations and conditions hereinafter stated, and in accordance with the provisions of the Judicial Code, maintain suit against the United States in the Court of Claims for damages sustained by him as a result of such conviction and imprisonment.

"Sec. 2. The only evidence admissible on the issue of innocence of the plaintiff shall be a certificate of the court in which such person was adjudged not guilty or a pardon or certified copy of a pardon, and such certificate of the court, pardon, or certified copy of a pardon shall contain recitals or findings that—

"(a) Claimant did not commit any of the acts with which he was charged; or

"(b) That his conduct in connection with such charge did not constitute a crime or offense against the United States or any State, Territory, or possession of the United States or the District of Columbia, in which the offense or acts are alleged to have been committed; and

"(c) That he has not, either intentionally or by willful misconduct or negligence, contributed to bring about his arrest or conviction.

"Sec. 3. No pardon or certified copy of a pardon shall be filed with the Court of Claims unless it contains recitals that the pardon was granted after applicant had exhausted all recourse to the courts and, further, that the time for any court to exercise its jurisdiction had expired.

"Sec. 4. Upon a showing satisfactory to it, the court may permit the plaintiff to prosecute such action in forma pauperis. In the event that the court shall render judgment for the plaintiff, the amount of damages awarded shall not exceed the sum of \$5,000."

The committee amendment was agreed to.

Mr. CHURCH. Mr. Speaker, on page 5, line 16, the word "committee" is used instead of the word "committed." I believe the report is right and the bill should be corrected accordingly. I offer an amendment to that effect.

The Clerk read as follows:

Amendment offered by Mr. CHURCH: On page 5, line 16, strike out the word "committee" and insert the word "committed."

The amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREIGN COMMERCE SERVICE OF THE UNITED STATES

The Clerk called the next bill, S. 988, to amend an act entitled "An act to establish in the Bureau of Foreign and Domestic Commerce of the Department of Commerce a Foreign Commerce Service of the United States, and for other purposes," approved March 3, 1927, as amended.

Mr. LAMBERT. Mr. Speaker, I ask unanimous consent that the bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

INTEREST RATE ON LAND-BANK AND COMMISSIONER LOANS

The Clerk called the next bill, H. R. 10530, to extend for 2 additional years the 3½-percent interest rate on certain Federal land-bank loans, and to provide for a 4-percent interest rate on Land Bank Commissioner's loans until July 1, 1940.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) effective July 1, 1935, the first sentence of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act, as amended (relating to reduction in interest rates on certain Federal land-bank loans), is amended by striking out the following: "occurring within a period of 3 years, commencing July 1, 1935, and shall not exceed 4 percent per annum for all interest payable on installment dates occurring within a period of 1 year commencing July 1, 1938," and inserting in lieu thereof the following: "occurring within a period of 5 years, commencing July 1, 1935."

(b) The fourth sentence of such paragraph "Twelfth" (relating to the time limit on payments made by the United States to land banks on account of such interest reduction) is amended to read as follows: "No payments shall be made to a bank with respect to any period after June 30, 1940."

Sec. 2. The last paragraph of section 32 of the Emergency Farm Mortgage Act, as amended (relating to reduction in the interest rate on loans by the Land Bank Commissioner), is amended to read as follows:

"Notwithstanding the foregoing provisions of this section, the rate of interest on loans made under this section shall not exceed 4 percent per annum for all interest payable on installment dates occurring on or after July 22, 1937, and prior to July 1, 1940."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGULATION OF OVER-THE-COUNTER MARKETS

The Clerk called the next bill, S. 3255, to provide for the establishment of a mechanism of regulation among over-the-counter brokers and dealers operating in interstate and foreign commerce or through the mails, to prevent acts and practices inconsistent with just and equitable principles of trade, and for other purposes.

Mr. EICHER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

FOREIGN AIR-MAIL CONTRACTS

The Clerk called the joint resolution (H. J. Res. 650) to authorize the extension of existing foreign air-mail contracts for a period not exceeding 1 year in each case.

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, if this joint resolution does not become law, what will be the situation with respect to these air-mail contracts?

Mr. ROMJUE. I may say that the House is now considering the Lea aviation bill, and, of course, the Post Office Department is very anxious to have this legislation passed. Some of the contracts on some of these routes begin expiring the first of next year, and, of course, some little time is required to advertise, and even after the contract is awarded whoever gets the contract usually requires some little time to make arrangements for equipment, and so forth; and in view of the fact the Department cannot tell what legislation is going to be enacted this session they feel they ought to be granted permission to extend the time of the present contracts, if necessary, for 1 more year.

Mr. WOLCOTT. That would be true at any session of Congress at which an air-mail bill might be introduced. There would be uncertainty as to the outcome of the legislation and in this way they could continue the air-mail contracts.

Mr. ROMJUE. That would not necessarily be true because the bills could be so framed as not to affect the situation, but the legislation that is sponsored by the gentleman from California [Mr. LEA] somewhat complicates the matter, and there certainly will not be any injury done by granting permission to allow the contracts to go on until such time as may be necessary to advertise and obtain new contracts.

Mr. WOLCOTT. If this legislation is not passed, the Postmaster General would be required to ask for bids on new contracts?

Mr. ROMJUE. That is, if the pending legislation is not passed.

Mr. WOLCOTT. Is there anything in the law that requires that these new contracts should be let for any particular length of time?

Mr. ROMJUE. I do not recall now, but I think there is a limitation.

Mr. WOLCOTT. This is in anticipation of the passage of the Lea bill?

Mr. ROMJUE. Yes.

Mr. WOLCOTT. Why could not the Postmaster General let the contracts for only 1 year instead of continuing the present contracts?

Mr. ROMJUE. The extension would be for another year.

Mr. WOLCOTT. It seems to me, to control the situation and to safeguard the present set-up whereby they must bid on these air-mail contracts, the Postmaster General should be compelled to ask for bids instead of being given the

prerogative, if he so desires and when he so desires, to extend these contracts. He has quite a lot of authority as it is with respect to these contracts and the extension of rural routes and star routes, and so forth.

Mr. ROMJUE. If he calls for bids now, however, and undertakes to award contracts under existing law, the passage of the Lea bill might alter the situation considerably and, of course, then they would have to go to work and be tied up with contracts.

Mr. WOLCOTT. When do a majority of these contracts expire?

Mr. ROMJUE. There are about six routes involved and they begin expiring on January 1 next.

Mr. WOLCOTT. That is just before the convening of the next Congress, so the Postmaster General will know when we adjourn here what has been done with the so-called Lea bill and that will give him from the time the Congress adjourns until January 1 to receive bids on new contracts or to comply with the Lea bill, if that has been passed.

Mr. ROMJUE. Of course, if the Lea bill fails to pass—

Mr. WOLCOTT. If the Lea bill fails to pass, then they would have to ask for new bids and he will have from the adjournment of Congress until the present contract expires some time in January to receive the new bids.

Mr. ROMJUE. That is right.

Mr. WOLCOTT. If the Lea bill does pass, he likewise has from the adjournment of Congress to the termination of the contract to adjust conditions to meet the conditions of the Lea bill, and, therefore, I cannot see any necessity for the bill.

Mr. ROMJUE. It takes considerable time.

The SPEAKER. Is there objection?

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

BRIDGE ACROSS COLUMBIA RIVER, OREG.

The Clerk called the bill (H. R. 10351) to extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oreg., authorized to be built by the Oregon-Washington Bridge Board of Trustees by an act of Congress approved June 13, 1934, as heretofore extended by acts of Congress approved August 30, 1935, January 27, 1936, and August 5, 1937, are further extended 1 and 3 years, respectively, from June 13, 1938.

Sec. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

VALIDATING CONVEYANCES MADE BY WISCONSIN

The Clerk called House Joint Resolution 281, to validate certain conveyances made by the State of Wisconsin, notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324).

There being no objection, the Clerk read the joint resolution, as follows:

Resolved, etc., That notwithstanding the restrictions and limitations in the act of August 22, 1912 (37 Stat. 324), entitled "An act granting unsurveyed and unattached islands to the State of Wisconsin for forestry purposes," the conveyance by the State of Wisconsin to William F. Sell of an unsurveyed island in Lake George containing approximately 0.46 acre and described in a deed executed August 20, 1935, and recorded September 10, 1935, in volume 79 of deeds on page 440 in the records of Vilas County, Wis., is hereby validated and the State of Wisconsin is hereby authorized to convey to E. H. Neef an unsurveyed island in Connors Lake containing approximately 1.15 acres located northwesterly of lot 4, section 27, township 38 north, range 3 west, fourth principal meridian, Wisconsin: *Provided*, That the land acquired by the State of Wisconsin in lieu of the islands herein described or either of them shall be devoted to the same general purposes as the islands granted to the State by said act of August 22, 1912.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That notwithstanding the restrictions and limitations in the act of August 22, 1912 (37 Stat. 324), entitled 'An act granting unsurveyed and unattached islands to the State of Wisconsin for forestry purposes,' the State of Wisconsin is hereby authorized to sell or exchange any of the islands granted to it by the said act of August 22, 1912, which are not valuable for forestry purposes, on condition that the proceeds from any such sale or that the land acquired by the State in any such exchange shall be devoted to State forestry purposes."

The amendment was agreed to; and the joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended to read: "Joint resolution to authorize sales and exchanges by the State of Wisconsin notwithstanding certain provisions in the act of August 22, 1912 (37 Stat. 324)."

TO AMEND AGRICULTURAL ADJUSTMENT ACT OF 1938

The Clerk called the bill (S. 3949) to amend the Agricultural Adjustment Act of 1938.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. GILCHRIST. Mr. Speaker, I reserve the right to object. I understand that the gentleman from Minnesota [Mr. ANDRESEN] desires to make inquiry as to the parliamentary status of the bill. I hope that he will consent that the bill go over without prejudice, because, if not, I shall have to object.

Mr. ANDRESEN of Minnesota. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ANDRESEN of Minnesota. On Tuesday last this bill was brought up under unanimous consent. The bill was read. No objection was raised to the consideration of the bill. The bill was read as amended by the Committee on Agriculture. Debate was had upon it and I offered an amendment at the conclusion of the reading of the bill. Debate was had upon my amendment. The chairman of the Committee on Agriculture, the gentleman from Texas [Mr. JONES] stated at the conclusion of the debate upon my amendment:

I would much rather withdraw the request, and I will notify the gentleman before it is called up.

He further said:

Mr. Speaker, I withdraw the request.

But the RECORD does not show that the gentleman from Texas asked unanimous consent to withdraw the bill from further consideration of the House. My parliamentary inquiry is as to whether or not the bill is now the unfinished business on the Speaker's desk and requires no further action here as far as objection is concerned and that it comes up automatically.

The SPEAKER. In reply to the parliamentary inquiry of the gentleman from Minnesota [Mr. ANDRESEN], it is the recollection of the Chair that the gentleman from Texas [Mr. JONES] asked unanimous consent for the consideration of the bill and that the gentleman from Minnesota did offer an amendment and debated it, whereupon the gentleman from Texas rose in his place and said that rather than have the matter pressed to an issue on the amendment which the gentleman from Minnesota proposed, he would prefer to withdraw his request for consideration of the bill. The amendment was not acted upon by the House. The Chair is of opinion that under rule XVI, section 2, the gentleman from Texas [Mr. JONES] could withdraw the consideration of the bill without unanimous consent. The Chair, therefore, is of opinion that the matter is not unfinished business on the Speaker's desk.

Mr. GILCHRIST. Mr. Speaker, I ask unanimous consent that the bill go over without prejudice.

The SPEAKER. Is there objection?

There was no objection.

MEDITERRANEAN FRUITFLY

The Clerk called the bill (H. R. 2001) to provide for an investigation and report of losses resulting from the campaign for the eradication of the Mediterranean fruitfly by the Department of Agriculture.

The SPEAKER. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar bill, S. 842, be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That a board is hereby created, to be known as the Mediterranean Fruitfly Board, to be composed of five individuals to be appointed by the Secretary of Agriculture. Any vacancy occurring in the Board shall be filled in the same manner as the original appointment. Each member of the Board, other than members holding office under the State or Federal Government, shall receive compensation at the rate of \$10 per day while actually employed on the business of the Board. The Board shall cease to exist upon transmitting its report under section 2 of this act.

SEC. 2. The Board is authorized and directed to conduct a complete investigation and survey of all losses sustained by growers and farmers in the State of Florida resulting from the campaign to eradicate the Mediterranean fruitfly in such State and transmit to the Secretary of Agriculture not later than December 31, 1937, a full report of the results of such investigation and survey: *Provided*, That such report shall serve as information only and shall not be construed as imposing any legal or moral obligation upon the Government of the United States. The Secretary of Agriculture shall, not later than January 10, 1938, transmit such report of survey to Congress, together with such recommendations as he may, in his judgment, deem advisable.

SEC. 3. With the approval of the Secretary of Agriculture, the Board may (1) without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States employ and fix the compensation and duties of such employees as may be necessary to carry out the purposes of this act; but the compensation of such employees shall correspond, so far as may be practicable, to the rates established by the Classification Act of 1923, as amended; and may (2) make such expenditures, including expenditures for travel and subsistence expense, for personal services at the seat of government and elsewhere, and for printing and binding, as are necessary for the efficient execution of its functions under this act.

SEC. 4. That there is hereby authorized to be appropriated the sum of \$10,000, or so much thereof as may be necessary, for the purpose of carrying out the provisions of this act.

Mr. COSTELLO. Mr. Speaker, I offer the following committee amendments.

The Clerk read as follows:

Page 2, line 8, after the word "than", strike out "December 31, 1937" and insert "March 15, 1939."

Line 13, after the word "shall", strike out "not later than January 10, 1938" and insert "as soon thereafter as practicable."

The SPEAKER. The question is on agreeing to the committee amendments.

The amendments were agreed to; and the bill as amended was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

A similar House bill was ordered to lie on the table.

ABSAROKA AND GALLATIN NATIONAL FORESTS

The Clerk called the next bill, H. R. 4548, to repeal the proviso of, and amend, the act of May 18, 1928 (ch. 626, 45 Stat. 603), making additions to the Absaroka and Gallatin National Forests and improving and extending the winter-fed facilities of the elk, antelope, and other game animals of Yellowstone National Park and adjacent land, and for other purposes.

Mr. COSTELLO. I ask unanimous consent that H. R. 4548 be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

LEAVE WITH PAY TO SUBSTITUTES IN POSTAL SERVICE

The Clerk called the next bill, H. R. 2690, granting annual and sick leave with pay to substitutes in the Postal Service.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all substitute postal employees in the classified civil service shall be granted the annual and sick leaves with pay granted other postal employees and under the same conditions.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That hereafter substitutes in the Postal Service shall be rated as employees, and after serving 4,896 hours (whether before or after the enactment of this act) as a substitute shall be given the same rights and benefits with respect to annual and sick leave that accrue to regular employees, in proportion to the time actually employed."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MEAT INSPECTION

The Clerk called the next bill, H. R. 8047, to amend the Meat Inspection Act of March 4, 1907, as amended and extended, with respect to its application to farmers, retail butchers, and retail dealers.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Meat Inspection Act of March 4, 1907, as amended and extended, is amended by substituting for the concluding paragraph thereof the following:

"That within the meaning of this act—

"(a) A 'farmer' means any person or partnership chiefly engaged in producing agricultural products on whose farm the number of cattle, calves, sheep, lambs, swine, or goats is in keeping with the size of the farm or with the volume or character of the agricultural products produced thereon, but does not mean any person or partnership engaged in producing agricultural products who—

"(1) actively engages in buying or trading in cattle, calves, sheep, lambs, swine, or goats; or

"(2) actively engages, directly or indirectly, in conducting a business which includes the slaughter of cattle, calves, sheep, lambs, swine, or goats for food purposes; or

"(3) actively engages, directly or indirectly, in buying or selling meat or meat food products other than those prepared by any farmer on the farm; or

"(4) actively engages, directly or indirectly, in salting, curing, or canning meat, or in preparing sausage, lard, or other meat food products; or

"(5) slaughters, or permits any person to slaughter, on his or their farm cattle, calves, sheep, lambs, swine, or goats which are not actually owned by him or them.

"(b) A 'retail butcher' means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only, except that the Secretary of Agriculture, at his discretion, may permit any retail butcher to transport in interstate or foreign commerce to consumers and meat retailers in any one week not more than 5 carcasses of cattle, 25 carcasses of calves, 20 carcasses of sheep, 25 carcasses of lambs, 10 carcasses of swine, 20 carcasses of goats, or 25 carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products, and which have not been inspected, examined, and marked as 'Inspected and passed' in accordance with the terms of the Meat Inspection Act of March 4, 1907, and acts supplemental thereto, and with the rules and regulations prescribed by the Secretary of Agriculture.

"(c) A 'retail dealer' means any person, partnership, association, or corporation chiefly engaged in selling meat or meat food products to consumers only except that the Secretary of Agriculture, at his discretion, may permit any retail dealer to transport in interstate trade or foreign commerce to consumers and meat retailers in any one week not more than 5 carcasses of cattle, 25 carcasses of calves, 20 carcasses of sheep, 25 carcasses of lambs, 10 carcasses of swine, 20 carcasses of goats, or 25 carcasses of goat kids, or the equivalent of fresh meat therefrom, and to transport in interstate or foreign commerce to consumers only meat and meat food products which have been salted, cured, canned, or prepared as sausage, lard, or other meat food products which have not been inspected, examined, and marked as 'Inspected and passed' in accordance with the terms of the Meat Inspection Act of March 4, 1907, and acts supplemental thereto, and with the rules and regulations prescribed by the Secretary of Agriculture.

"That the provisions of the Meat Inspection Act of March 4, 1907, requiring inspection to be made by the Secretary of Agriculture shall not apply to animals slaughtered by any farmer on the farm and sold and transported in interstate or foreign commerce, nor to retail butchers and retail dealers in meat and meat food products, supplying their customers: *Provided*, That all meat and meat food products derived from animals slaughtered by any farmer on the farm which are salted, cured, canned,

or prepared into sausage, lard, or other meat food products at any place other than by the farmer on the farm upon which the animals were slaughtered shall not be transported in interstate or foreign commerce under the farmers' exemption herein provided, and all fresh meat and all farm-cured or prepared meat and meat food products derived from animals slaughtered by any farmer on the farm which are to be used in interstate or foreign commerce shall be clearly marked with the name and address of the farmer on whose farm the animals were slaughtered: *Provided further*, That if any person shall sell or offer for sale or transportation for interstate or foreign commerce any meat or meat food products which are diseased, unsound, unhealthful, unwholesome, or otherwise unfit for human food, knowing that such meat food products are intended for human consumption, he shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not exceeding \$1,000 or by imprisonment for a period of not exceeding 1 year, or by both such fine and imprisonment: *And provided further*, That the Secretary of Agriculture is authorized to maintain the inspection in this act provided for at any slaughtering, meat canning, salting, packing, rendering, or similar establishment notwithstanding this exception, and that the persons operating the same may be retail butchers and retail dealers or farmers; and where the Secretary of Agriculture shall establish such inspection then the provisions of this act shall apply notwithstanding this exception."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOCAL DELIVERY RATE ON CERTAIN FIRST-CLASS MAIL MATTER

The Clerk called the next bill (H. R. 2716) to provide for the local delivery rate on certain first-class mail matter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the proviso in section 1001 of the Revenue Act of 1932 (relating to postal rates) is amended to read as follows: "Provided, That such additional rate shall not apply on or after July 1, 1937, to first-class matter mailed for local delivery or for delivery wholly within a county the population of which exceeds 1,000,000, provided said county is entirely within a corporate city."

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the proviso in section 1001 (a) of the Revenue Act of 1932 (relating to postal rates) is amended by inserting before the period at the end of such proviso a comma and the following: 'or, after the date of enactment of this amendatory clause, to first-class matter mailed for delivery wholly within a county the population of which exceeds 1,000,000, provided said county is entirely within a corporate city.'"

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECONCENTRATION OF COTTON

The Clerk called the next bill, S. 3836, relating to the manner of securing written consent for the reconcentration of cotton under section 383 (b) of the Agricultural Adjustment Act of 1938.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. THOMAS of Texas. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PURCHASE AND DISTRIBUTION OF PRODUCTS OF FISHING INDUSTRY

The Clerk called the next bill, S. 3595, to authorize the purchase and distribution of products of the fishing industry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, out of any funds available to the Federal Surplus Commodities Corporation, not to exceed a sum equal to the difference between \$1,000,000 and the sum expended by such Corporation in carrying out the provisions of the joint resolution entitled "Joint resolution to make funds available to carry out the provisions of existing law authorizing the purchase and distribution of products of the fishing industry," approved April 12, 1937, may be used by such Corporation for the purpose of diverting surplus fish (including shellfish) and the products thereof from the normal channels of trade and commerce by acquiring them and providing for their distribution through Federal, State, and private relief channels. The provisions of law relating to the acquisition of materials or supplies for the United States shall not apply to the acquisition of commodities under this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COLMER. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. COLMER. Mr. Speaker, I am very much interested in the bill under consideration (S. 3595), which has passed the Senate and has been favorably reported by the House Merchant Marine and Fisheries Committee. My interest is explained by the fact that the seafood industry is very important on the Mississippi Gulf Coast, in my congressional district, and they are now facing a great loss unless they can secure assistance from the Federal Government by having the Federal Surplus Commodities Corporation purchase the surplus of canned oysters and other canned seafood now on hand. On April 1, 1937, there were 122,857 cases of unsold oysters in the hands of the packers. On May 11, the close of the season, there were 139,952 cases, and on January 1, 1938, there were 55,000 cases, all figured on a 48/5-ounce basis.

The oyster packing season during 1937 commenced on January 1, and continued through May 11. Inasmuch as they had a carry-over of some 55,000 cases, only two of the plants commenced operations in January, the other plants not starting operation until February or April. Therefore, it developed that the 1938 oyster pack is the smallest in history. However, with the carry-over from last season and the pack for this year exceeding the demand for these products, it is imperative that these packers secure a market for the surplus seafood now on hand. It is to be hoped, therefore, that this bill will pass the House today so that the Federal Surplus Commodity Corporation will be given authority to purchase this surplus.

I should like it understood that paragraph 2 of the report on Senate bill 3595 means that section 32 funds of Public 320, as transferred to the Federal Surplus Commodities Corporation by the Secretary of Agriculture are available for the purposes of this bill.

If these packers cannot secure this assistance it will mean that several hundred fishermen and other employees of the industry will be unemployed—or at best only partly employed—in my congressional district, and I am sure that this same condition is prevalent in other sections of the country where the fishing industry plays a prominent part.

OCEAN-MAIL CONTRACT CLAIMS

The Clerk called the next bill, H. R. 9577, to amend section 402 of the Merchant Marine Act, 1936, to further provide for the settlement of ocean-mail contract claims.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 402 of the Merchant Marine Act, 1936, be hereby amended by adding thereto a new subsection (d) to read as follows:

"(d) Notwithstanding the provisions of the acts making appropriation for the Treasury and Post Office Departments for the fiscal years ending June 30, 1934, June 30, 1935, June 30, 1936, and June 30, 1937, which were approved, respectively, March 3, 1933 (47 U. S. Stat. L. 1510), March 15, 1934 (48 U. S. Stat. L. 239), and June 23, 1936 (49 U. S. Stat. L. 1850), as soon as practicable after the enactment of this subsection, and within 6 months after its enactment, the Commission shall proceed to attempt to adjust all differences with the holder of any contract alleged to have been made by the Postmaster General pursuant to the provisions of the Merchant Marine Act of 1928 for the carriage of mail, in cases where a suit, pending in the Court of Claims at the time of the enactment of this subsection and based upon the alleged termination or breach of such contract, had been filed by such contractor prior to July 1, 1937, including any claims of the contractor against the United States and any claims of the United States against such contractor, arising out of said contract. In adjusting such differences and claims the Commission shall not take into consideration any prospective or speculative future profits, but shall consider any and all payments theretofore made by the United States pursuant to such mail contract, and the profits realized as a result thereof, and the interest paid and the interest due according to law on construction loans, and all other facts deemed pertinent. If the contractor shall be willing to accept such determination and receive payment for the amount

determined by the Commission to be a fair adjustment of such differences, the Commission is authorized and directed, concurrently with the dismissal of any suit based upon the alleged termination or breach of such contract filed by such contractor with prejudice and without costs, to enter into and execute a settlement agreement with such contractor, wherein such contractor shall release the United States from any and all claims arising from such contractor's mail contract: *Provided*, That the Attorney General of the United States shall review such settlement agreement, and if he is dissatisfied with such finding shall notify the Commission and the contractor in writing within 60 days and upon such notice the settlement agreement shall become null and void; otherwise the contractor shall be paid any sum of money due him under such settlement agreement from any funds controlled by the Commission or hereafter appropriated for that purpose: *Provided*, That if any sum of money is payable to the contractor under the terms of any settlement agreement made pursuant to this subsection, such sums shall be applied (a) as a credit upon any amount owing by the contractor to the United States on any loan agreement entered into under section 11 of the Merchant Marine Act of 1920, as amended, or upon unpaid ship sales mortgage notes, (b) Federal taxes of the contractor due or to become due for the taxable year in which the settlement is made, and (c) on any other indebtedness of the contractor to the United States. If any such sums are applied as a credit as aforesaid, then the Comptroller General of the United States shall execute a discharge of the amount of such debts satisfied thereby. Nothing herein shall affect any right which such contractor may now have to maintain a suit arising out of such contract against the United States in the Court of Claims unless such suit is dismissed as provided herein."

With the following committee amendments:

- (1) Page 2, line 1, strike out the figures "239" and insert in lieu thereof the figures "446."
- (2) Page 2, line 1, strike out the word "and" and insert in lieu thereof "May 14, 1935 (49 U. S. Stat. L. 239), and."
- (3) Page 2, line 4, strike out the word "shall" and insert in lieu thereof a comma and the following: "in its discretion, may."
- Page 3, lines 13 and 14, strike out the words "from any funds controlled by the Commission or hereafter appropriated for that purpose" and insert the following in lieu of the words stricken out: "out of such appropriation as the Congress may hereafter provide for this purpose from funds controlled by the Commission or from the general funds of the Treasury."
- (4) Page 4, line 6, change the period to a colon and insert the following: "*Provided further*, That nothing herein shall be construed to affect any right or defense of any party in any suit pending in the Court of Claims: *And provided further*, That the enactment of this legislation shall not be considered or construed by the Commission or by any court as a legislative interpretation in favor of the validity or legality of any alleged contract involved in, or the basis of, any controversy or litigation, adjustment of which is permitted by this subsection."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF MERCHANT MARINE ACT, 1936

The Clerk called the next bill, H. R. 10337, to amend title VI of the Merchant Marine Act, 1936, and for other purposes. There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That title VI of the Merchant Marine Act, 1936, as amended, is hereby amended by adding at the end of such title a new section to read as follows:

"Sec. 613. The Commission is authorized to subordinate its interest as mortgagee in any vessel subsidized under the provisions of this title in favor of any loan made by the Reconstruction Finance Corporation under the Reconstruction Finance Corporation Act, as amended, if the Commission finds that the making of such loan by the Reconstruction Finance Corporation would be in furtherance of the policies of this act or would, in its opinion, preserve or protect its mortgage interest in said subsidized vessel: *Provided*, That the obligations evidencing such loans by the Reconstruction Finance Corporation shall not be transferred, except to some other governmental agency."

With the following committee amendment:

Page 1, line 8, after the word "made", insert the words "for working capital."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISPOSITION OF HORSES AND MULES BELONGING TO UNITED STATES

Mr. HARLAN. Mr. Speaker, I ask unanimous consent to return to No. 698 on the calendar, the bill (H. R. 9848) to require that horses and mules belonging to the United States

which have become unfit for service be destroyed or put to pasture.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

Mr. WOLCOTT. Mr. Speaker, reserving the right to object, I understand the gentleman has an amendment which will make this discretionary instead of compelling them to do this?

Mr. HARLAN. That is correct.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the first proviso in the fourth paragraph under the heading "Division of Supply," in title I of the act entitled "An act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1930, and for other purposes," approved December 20, 1928 (45 Stat. 1030), horses and mules belonging to the United States which have become unfit for service shall be destroyed or put out to pasture.

Mr. HARLAN. Mr. Speaker, I offer an amendment, which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. HARLAN: Page 1, line 10, after the word "service", strike out the word "shall" and insert the word "may."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERECTION OF MEMORIAL TO MEMORY OF NEWTON D. BAKER

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to return to Calendar No. 704, the resolution (H. J. Res. 656) to provide for the erection of a memorial to the memory of Newton D. Baker.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. WADSWORTH. Mr. Speaker, reserving the right to object, when the Muhlenberg bill was reached on the calendar awhile ago, the gentleman from Texas [Mr. MAVERICK] expressed his deep concern as to the policy involved by that and similar bills in relation to the erection of monuments to distinguished Americans of the past by the Federal Government. I objected to the Muhlenberg bill, agreeing, as I did, and agreeing, as I do now, with the observations made by the gentleman from Texas.

When the so-called Baker bill was reached, the gentleman from Texas objected, apparently in order to be consistent with my attitude, which in turn was consistent with his.

Mr. Speaker, far be it from me to suggest directly or indirectly that either General Muhlenberg or the late Secretary of War, Mr. Baker, are undeserving of honor. We know full well that both of them served their country with great distinction. It was my privilege to be in a sense associated with Mr. Baker while he was Secretary of War during the period of the war and during the period of demobilization. There is no man on Capitol Hill who has a higher regard for Mr. Baker than have I. He was a great Secretary of War, and I am confident history will write him down as such. Moreover, I entertain the highest regard for the gentleman from West Virginia [Mr. RANDOLPH]. Nothing would give me greater pleasure than to support him in this matter. But, Mr. Speaker, my thought upon this is that if the Congress embarks upon a program of erecting monuments to distinguished Americans of the past, it will never cease in that program.

Dozens and dozens of bills will appear upon the floor, backed by Members of Congress who take a deep interest in their particular bills, and supported by the sentiment of the districts in which the monuments are to be erected. It would appear ungracious on my part to interpose objection,

and I would not think of doing it in either of these two cases could I have assurance that we would never have more bills of this character. But I am convinced, and I cannot avoid the conviction, that with the entering wedge the door will be opened wide. I can think of famous Americans by the dozens in whose honor it would be proposed that monuments be erected in various parts of the United States.

Mr. RANDOLPH. Will the gentleman yield?

Mr. WADSWORTH. I yield to the gentleman from West Virginia.

Mr. RANDOLPH. May I say to the gentleman from New York that the resolution which I introduced has received the approval of the Fine Arts Commission and also the unanimous endorsement of the Committee on the Library, including the two Republican members, the gentleman from Massachusetts [Mr. TREADWAY] and the gentleman from New York [Mr. LORD].

The gentleman from New York uses the expression "the Congress embarking upon a policy of erecting monuments to distinguished Americans." May I add that such action would literally be joining and cooperating with the local communities in their desire to adequately honor such men. In connection with the Newton D. Baker memorial, it would be the purpose, as stated by the legislation, for the locality in which the memorial is to be erected to provide an adequate site, which would be purchased by the people of that section. After the memorial was erected, the people of that particular section would continue through the years to come the upkeep, so that the memorial would be attractive and serve a useful purpose. I hope my able colleague will not object to the pending resolution, which would honor the memory of a great American.

Mr. WADSWORTH. Mr. Speaker, it is with the idea in mind that I have already expressed, and solely that idea, that I interpose my objection.

The SPEAKER. The gentleman from New York objects.

EXTENSION OF TIME FOR COMMENCING AND COMPLETING THE CONSTRUCTION OF BRIDGE ACROSS THE COOSA RIVER, ALA.

Mr. STARNES. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 10611) to extend the times for commencing and completing the construction of a bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Ala.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. MARTIN of Massachusetts. Mr. Speaker, reserving the right to object, I understand this bill has a unanimous report from the Committee on Interstate and Foreign Commerce?

Mr. STARNES. Yes; as well as from the War Department and from the Department of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Coosa River at or near Gilberts Ferry in Etowah County, Ala., authorized to be built by the State of Alabama, or Etowah County, or both, by an act of Congress approved March 10, 1937, are hereby extended 1 and 3 years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JUVENILE COURT FOR THE DISTRICT OF COLUMBIA

Mr. PALMISANO. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Concurrent Resolution No. 34.

The Clerk read the Senate concurrent resolution, as follows:

Senate Concurrent Resolution 34

Resolved by the Senate (the House of Representatives concurring), That in the enrollment of the bill (H. R. 4276) to

amend an act entitled "An act to create a juvenile court in and for the District of Columbia," and for other purposes, the Clerk of the House is authorized and directed to renumber the sections beginning with section 26 so that the last section of the bill will be numbered 43, and to make necessary changes in references to sections.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I understand this concurrent resolution does not change the legislation itself at all?

Mr. PALMISANO. This is to correct the numbering of the sections inasmuch as the bill was amended in the Senate. This resolution does not change the bill in any form.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

BRIDGE FROM FRIAR POINT, MISS., TO HELENA, ARK.

Mr. WHITTINGTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10261), authorizing the town of Friar Point, Miss., and Coahoma County, Miss., singly or jointly, to construct, maintain, and operate a toll bridge across the Mississippi River from a point at or near the town of Friar Point, Coahoma County, Miss., to a point at or near Helena, Phillips County, Ark.

Mr. Speaker, this bill is similar to a bill that has been passed. I have shown it to the gentlemen on the other side and they have no objection.

Mr. MARTIN of Massachusetts. Reserving the right to object, Mr. Speaker, I wish the gentleman would defer his request a few moments until we can get in touch with the Republican member of the Committee on Interstate and Foreign Commerce and find out if this is satisfactory.

Mr. WHITTINGTON. I may say I looked for him just a moment ago.

Mr. MARTIN of Massachusetts. I wish the gentleman would wait for a few minutes.

Mr. WHITTINGTON. I have no objection to doing so. That was a unanimous report, in the identical language.

Mr. Speaker, I withdraw the request for the present.

EXTENSION OF REMARKS

Mr. LAMBERTSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include therein a radio address I delivered last night.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. BACON asked and was given permission to extend his own remarks in the RECORD.

OLYMPIC NATIONAL PARK, STATE OF WASHINGTON

Mr. DEROUEN. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 10024) to establish the Olympic National Park in the State of Washington, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted, etc., That the Mount Olympus National Monument established pursuant to proclamation of the President dated March 2, 1909, is hereby abolished, and the tracts of land in the State of Washington particularly described as follows, to wit: Township 26 north, range 3 west, sections 6 and 7 (unsurveyed); township 27 north, range 3 west, sections 6, 7, 18, 19, 30, and 31 (unsurveyed); township 23 north, range 4 west, north half section 6 (unsurveyed); township 24 north, range 4 west, sections 19, 30, and 31 (unsurveyed); township 25 north, range 4 west, sections 4 to 9, 16 to 21, and 28 to 33, inclusive (unsurveyed); township 26 north, range 4 west, sections 1 to 12, 16 to 21, and 28 to 33, inclusive (unsurveyed); township 27 north, range 4 west, all (unsurveyed); township 28 north, range 4 west, sections 17 to 22, and 27 to 34, inclusive (unsurveyed); township 23 north, range 5 west, north half section 1, northeast quarter section 2, and sections 18 and 19 (partly surveyed); township 24 north, range 5 west, sections 1 to 13, 20 to 27, inclusive, north half section 28, east half section 34, and sections 35 and 36 (unsurveyed); townships 25 north to 28 north, range 5 west (all unsurveyed); township 29 north, range 5 west, sections 7 and 17 to 36, inclusive (partly surveyed); township 23 north, range 6 west, sections 2 to 6, 10 to 15, inclusive, and 23 and 24 (unsurveyed); township 24 north, range 6 west, sections 1 to 24, 26 to 35, inclusive (unsurveyed); townships 25 north to 29 north, range 6 west, all (partly surveyed); township 23 north, range 7 west, sections 1 to 12, inclusive (unsurveyed); townships 24 north to 29 north, range 7 west (all unsurveyed); township 30 north, range 7 west, sections 26 to 36, inclusive (partly surveyed); township 23 north, range 8 west, that part north of the divide

between the Quinault and Humptulips Rivers (unsurveyed); townships 24 north to 29 north, range 8 west (all unsurveyed); township 30 north, range 8 west, sections 18, 19, and 25 to 36, inclusive (partly surveyed); township 22 north, range 9 west, northwest quarter section 5, north half section 6 (surveyed); township 23 north, range 9 west, that part northwest of the divide between Humptulips River and the streams flowing into Quinault Lake and outside the Quinault Indian Reservation except northwest quarter section 6 (partly surveyed); township 24 north, range 9 west, sections 1, 2, 11 to 14, 22 to 27, and 34 to 36, inclusive (partly surveyed); township 25 north, range 9 west (all unsurveyed); township 26 north, range 9 west, sections 1 to 18, east half section 19, sections 20 to 29, and 32 to 36, inclusive (surveyed); townships 27 and 28 north, range 9 west (all partly surveyed); township 29 north, range 9 west, all except those parts of sections 7, 18, 19, and 30 lying west of Soleduck River and Alcee Creek (partly surveyed); township 30 north, range 9 west, sections 13 and 14, and 19 to 36, inclusive (surveyed); township 23 north, range 10 west, southeast quarter section 1, east half section 11, and sections 12 to 14, inclusive, those parts of sections 23 and 36 outside of Quinault Indian Reservation (surveyed); township 26 north, range 10 west, sections 1, 12, and 13 (surveyed); township 27 north, range 10 west, sections 1 to 18, 20 to 26, inclusive, north half section 27, north half section 28, north half section 29, section 36 (surveyed); township 28 north, range 10 west, all that part south of the divide between Bogachiel and Soleduck Rivers and east of Alcee Creek (unsurveyed); township 29 north, range 10 west, all that part south of the divide between Bogachiel and Soleduck Rivers and east of Alcee Creek (unsurveyed); township 27 north, range 11 west, sections 1 to 13, inclusive, north half section 14, north half section 15, section 16, north half section 17 (surveyed); township 28 north, range 11 west, all south of divide between Sitkum and Calawah Rivers (unsurveyed); township 27 north, range 12 west, sections 1 to 3, north half section 10, north half and southeast quarter section 11, and section 12 (surveyed); township 28 north, range 12 west, those parts of sections 25 and 26 south of the divide between Calawah and Bogachiel Rivers, sections 27 and 31 to 36, inclusive (surveyed); township 24 north, range 13 west, sections 3, 4, 9, 10, 15, 16, 22, and lots 1 and 2, section 27 (surveyed); township 25 north, range 13 west, west half section 4, sections 5, 8, west half section 9, sections 16, 17, 21, 28, 33, west half section 34 (surveyed); township 26 north, range 13 west, sections 17, 18, those parts sections 19, 20, 29, and 30 outside Hoh Indian Reservation, west half section 28, section 32, west half section 33 (surveyed); township 26 north, range 14 west (all surveyed); township 27 north, range 14 west, sections 6, 7, west half section 8, sections 16, 17, 18, 20, 21, 22, south half section 23, sections 26, 27, 28, 34, and 35 (surveyed); township 28 north, range 14 west, section 31 (surveyed); township 27 north, range 15 west (all surveyed); township 28 north, range 15 west, west half section 4, sections 5, 6, 8, 9, west half section 15, sections 16, 23, 26, and all sections 21, 22, and 27 outside Quileute Indian Reservation, and sections 34, 35, and 36 (surveyed); township 29 north, range 15 west, west half section 5, sections 6 and 7, west half section 8, west half section 17, sections 18 and 19, west half section 20, sections 29, 30, and 32 (surveyed); township 30 north, range 15 west, all west of western shore line of Ozette Lake (surveyed); township 31 north, range 15 west, section 30 and all of sections 31 and 32 west of western shore of Lake Ozette; township 30 north, range 16 west (all surveyed); township 31 north, range 16 west, those parts of sections 25 and 26 south of Ozette Indian Reservation, and sections 35 and 36 (surveyed); all west of the Willamette meridian, in Washington, are hereby reserved and withdrawn from settlement, occupancy, or disposal under the laws of the United States and dedicated and set apart as a public park for the benefit and enjoyment of the people and shall be known as the Olympic National Park, and all lands formerly included in the Mount Olympus National Monument and not included in the above description are hereby transferred to and made a part of the Olympic National Forest: *Provided*, That the portion of the Olympic National Forest lying west of the line separating ranges 10 west and 11 west, measured from the Willamette meridian, shall not be included as a part of the area to be known as the Olympic National Forest.

Sec. 2. That in the areas of said park lying east of the range line between ranges 9 and 10 and north of the seventh standard parallel and east of the range line between ranges 4 and 5 west, Willamette meridian, all mineral deposits of the classes and kinds now subject to location, entry, and patent under the mining laws of the United States shall be, exclusive of the land containing them, subject to disposal under such laws for a period of 5 years from the date of approval of this act, with rights of occupation and use of so much of the surface of the land as may be required for all purposes reasonably incident to the mining or removal of the minerals and under such general regulations as may be prescribed by the Secretary of the Interior.

Sec. 3. The income of each county receiving moneys from the Olympic National Forest under the act of May 23, 1908 (35 Stat. 260, ch. 192), as amended, shall be proportional to the total area of each county in the Olympic National Forest and the Olympic National Park combined.

Sec. 4. The administration, protection, and development of the Olympic National Park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the act of August 25, 1916 (39 Stat. 535), entitled "An act to establish a National Park Service, and for other purposes", as amended.

Sec. 5. Nothing herein contained shall affect any valid existing claim, location, or entry made under the land laws of the United States, whether for homestead, mineral, right-of-way, or any other purpose whatsoever, or shall affect the right of any such claimant, locator, or entryman to the full use and enjoyment of his land, nor the rights reserved by treaty to the Indians of any tribes.

The SPEAKER. Is a second demanded?

Mr. ENGLEBRIGHT. Mr. Speaker, I demand a second.

Mr. DEROUEN. Mr. Speaker, I ask unanimous consent that a second may be considered as ordered.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

The SPEAKER. The gentleman from Louisiana is recognized for 20 minutes and the gentleman from California is recognized for 20 minutes.

Mr. DEROUEN. Mr. Speaker, the purpose of the proposed national park is to preserve for the benefit, use, and enjoyment of the people the finest sample of primeval forests of Sitka spruce, western hemlock, Douglas fir, and western red cedar in the entire United States; to provide suitable winter range and permanent protection for the herds of native Roosevelt elk and other wildlife indigenous to the area; to conserve and render available to the people, for recreational use, this outstanding mountainous country, containing numerous glaciers and perpetual snow fields, and a portion of the surrounding verdant forests, together with a narrow strip along the beautiful Washington coast.

The area of this park is 898,292 acres, containing seventeen and four-tenths billion board feet of timber, which eliminates three and four-tenths billion board feet of timber from the bill H. R. 10024 as introduced. The effect of the bill will be to establish the appropriate use and proper administration of an area definitely of national-park quality. The bill has the approval of the Bureau of the Budget. The Secretary of the Interior and the Department of Agriculture have also endorsed the bill.

The President of the United States on March 14 sent a message to Congress, which I assume is a mandate, for such legislation to preserve those great areas. The bill also has the endorsement of the following organizations:

Forty thousand members of the International Wood Workers' Association; the Washington State Grange; the Seattle Federation of Women's Clubs; the State Department of Education; Seattle Audubon Society; Northwest Conservation League; Seattle Association of Technical Engineers and Architects; Washington Alpine Club; the Mountaineers; National Federation of Post Office Clerks, local; East Side Sportsmen's Club; Progressive Legislators Council of Washington, Seattle, Wash. (members of the State legislature); National Association of Audubon Societies, New York; University of Washington Teachers Union, Seattle; National Society of the Daughters of the American Revolution; and many other civic organizations throughout the country.

The Public Lands Committee heard a great deal of testimony on this proposal, both for and against it, but it is noteworthy that, although there was a difference of opinion on the areas to be included, no witnesses from the State of Washington appeared before the committee who did not approve of the creation of a national park in this region.

In arriving at the determination of the area to be recommended for park status the committee carefully considered the desires of many conservation organizations and numerous individuals who wanted as large an area in the park as possible, and also considered the needs of the local communities dependent upon the harvesting and manufacturing of forest products. Expert testimony on the needs of timber utilization was heard and it is the thought of the committee that the establishment of the park will not have an adverse effect upon local wood-using industries. The enactment of the bill will fulfill a definite need for the conservation of natural resources.

The present bill, H. R. 10024, also excludes about 2,000,000,000 feet of the more accessible timber tributary to Grays Harbor, which was included in the original bill, H. R. 7086.

This should adequately satisfy the need for timber in this region.

The bill has also been amended to allow prospecting under the mining laws of the United States, in certain portions of the park, for a period of 5 years.

The major part of the additions to the monument are now national-forest lands under the supervision of the Forest Service and can be transferred to the National Park Service at no cost to the Government for acquisition.

Section 3 provides that 25 percent of the revenues of the Olympic National Forest, being distributed to the counties under existing laws, shall be proportional to the total area of each county in the Olympic National Forest and Olympic National Park combined. This provision protects Jefferson County from the loss of forest revenues, which would otherwise occur since a large portion of the area proposed for park status is in Jefferson County.

Section 5 of the bill assures the full protection of any existing claims or Indian treaty rights.

There is no doubt that the people have forcefully expressed themselves in favor of the park.

Gentlemen, the committee recommended that the great forests surrounding the Olympic Mountains, with the wild-life, and incomparable beauties, practically all of which is already owned by the Government, be preserved for the people of the Nation—this generation and generations to come—by creating the Olympic National Park as set forth in H. R. 10024, as amended.

Mr. Speaker, I reserve the balance of my time.

Mr. ENGLEBRIGHT. Mr. Speaker, I yield 10 minutes to the gentleman from Michigan [Mr. CRAWFORD].

Mr. CRAWFORD. Mr. Speaker, I wish to say to the Members of the House I am in full accord with the provisions of this bill. I believe this area is one of the greatest park areas in the United States and should be preserved for future generations. The committee has considered the bill very carefully, held extensive hearings, and all parties interested have appeared. I simply want to add my support to the bill at this time.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I understand this bill will make a tremendous contribution not only to conservation and preservation of such areas but to the Park Service in general.

Mr. CRAWFORD. That is my opinion of it, exactly.

Mr. McCORMACK. As I understand, there is a unanimous feeling in support of the bill.

Mr. CRAWFORD. Yes.

Mr. McCORMACK. What is the additional acreage included in this bill?

Mr. CRAWFORD. Will the chairman give us those figures? I believe he has them exactly.

Mr. DEROUEN. About 600,000 acres.

Mr. McCORMACK. And included in this area is a type of timber which is very valuable and a type of timber which should by all means be preserved.

Mr. CRAWFORD. Yes; and it is also a natural playground, you might say, with lakes, glaciers, perpetual snow peaks, trees and forests, and undergrowth, such as we do not have anywhere else in the United States.

Mr. McCORMACK. That was my understanding.

Mr. KITCHENS. Mr. Speaker, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. KITCHENS. What will be the cost of this?

Mr. CRAWFORD. This is a transfer of acreage from the national forests to the national parks. The land is already public domain.

Mr. KITCHENS. Will there be any more land out there after we get through establishing national parks?

Mr. CRAWFORD. There will probably be a little bit left.

Mr. SABATH. Mr. Speaker, will the gentleman yield me a few minutes, as I desire to ask the gentleman who introduced this bill a question or two?

Mr. DEROUEN. Mr. Speaker, I yield the gentleman 5 minutes.

Mr. SABATH. What I desire to know is, Is this a tract of land that contains the many wonderful old trees that the gentleman has been trying to save for the benefit of future generations?

Mr. WALLGREN. Mr. Speaker, I may say to the gentleman that some of the trees within this area are over 1,600 years old. We have been trying to save the last remaining stands of virgin fir and spruce that we have today in America.

Mr. SABATH. They are on a par with the trees in the Yosemite Valley, I believe.

Mr. WALLGREN. They are, but, of course, this particular region has an unusual stand of fir that is different from what may be found in any other section of the United States.

Mr. SABATH. That is what I have understood.

I also wish to say, Mr. Speaker, that yesterday I had an opportunity for the first time to take a ride over the Skyline Drive. I never was more pleasantly surprised to find what a small amount of money appropriated by Congress made possible and I advise each and every Member to make this trip. It is a most beautiful sight to behold, and from what I have been told about this tract, based also upon my visit to Yosemite, Lake Tahoe, and our other national parks, I am informed this will excel any other similar area.

Mr. WALLGREN. I will say to the gentleman that he should make a trip to this region because I know he will really enjoy it.

Mr. SABATH. I believe I have gone through this section, but the roads were so bad I could not penetrate the area of land involved. It has been a hobby with me to visit the national parks and national forests of the United States, and I wish to congratulate the gentleman upon being able to bring this legislation to a successful culmination after the long and patient work he has done.

Mr. WALLGREN. I thank the gentleman.

Mr. MURDOCK of Arizona. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield.

Mr. MURDOCK of Arizona. I want to extend to the gentleman a similar invitation to come into the southwestern corner of the country as well as the northwestern corner.

Mr. SABATH. I shall avail myself of that invitation and I thank the gentleman very much.

Mr. ENGLEBRIGHT. Mr. Speaker, this bill was considered most carefully by the Committee on the Public Lands. Extensive hearings were held and the boundary lines as now established should be satisfactory to the various local interests in the State of Washington.

This area will include one of the finest stands of timber of a virgin type—fir, pine, and other types—that can be found in this country. This area should be preserved for the people of this Nation and for their children.

The bill has the unanimous support of the committee and is a most meritorious measure and one that should be enacted into law.

Mr. Speaker, I yield back the balance of my time.

Mr. DEROUEN. Mr. Speaker, I have no further requests for time.

The SPEAKER pro tempore (Mr. RAYBURN). The question is, Shall the rules be suspended and the bill pass?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

EXTENSION OF WAR CLAIMS ACT OF 1928

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Joint Resolution 253, extending for 2 years the time within which American claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the Mixed Claims Commission and the Tripartite Claims Commission, and extending until March 10, 1940, the time within which

Hungarian claimants may make application for payment, under the Settlement of War Claims Act of 1928, of awards of the War Claims Arbitrator.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Resolved, etc., That subsection (g) of section 2 and subsection (f) of section 5 of the Settlement of War Claims Act of 1928, as amended, are further amended, respectively, by striking out the words "10 years" wherever such words appear therein and inserting in lieu thereof the words "12 years".

SEC. 2. The first sentence of subsection (h) of section 6 of the Settlement of War Claims Act of 1928, as amended, is further amended to read as follows:

"No payment shall be made under this section unless application therefor is made by March 10, 1940, in accordance with such regulations as the Secretary of the Treasury may prescribe."

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

BREWERS' BONDS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent for the present consideration of H. R. 8665, to amend section 3336 of the Revised Statutes, as amended, pertaining to brewers' bonds, and for other purposes.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3336 of the Revised Statutes, as amended (U. S. C., 1934 ed., title 26, sec. 1334 (b)), is further amended to read as follows:

"Sec. 3336. Every brewer, on filing notice as provided by law of his intention to commence or continue business, shall execute a bond to the United States in a penal sum equal to the amount of the tax on fermented malt liquor which, in the opinion of the Commissioner of Internal Revenue, said brewer will be liable to pay during any one month: *Provided,* That the penal sum of any such bond shall not exceed \$100,000 nor be less than \$1,000. The bond shall be conditioned that the brewer shall pay, or cause to be paid, as herein provided, the tax required by law on all beer, lager beer, ale, porter, and other fermented liquors made by or for him, before the same is sold or removed for consumption or sale, except as hereinafter provided; and that he shall keep, or cause to be kept, in the manner required by law, a book which shall be open to inspection by the proper officers, as by law required; and that he shall in all respects faithfully comply, without fraud or evasion, with all requirements of law relating to the manufacture and sale of any malt liquors aforesaid. Once in every 4 years, or whenever required so to do by the Commissioner of Internal Revenue, or such officer as may be designated by the Commissioner of Internal Revenue, the brewer shall execute a new bond in the penal sum prescribed in pursuance of this section, and conditioned as above provided, which bond shall be in lieu of any former bond or bonds of such brewer in respect to all liabilities accruing after its approval."

With the following committee amendment:

Page 1, line 4, in the parentheses after the word "edition", insert "Supp. III."

The amendment was agreed to and the bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

AMENDING SECOND LIBERTY BOND ACT

Mr. McCORMACK. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 10535) to amend the Second Liberty Bond Act, as amended, which I send to the desk and ask to have read.

The Clerk read as follows:

Be it enacted, etc., That the first paragraph of section 1 of the Second Liberty Bond Act, as amended (U. S. C., title 31, sec. 752), is amended by striking out the following: "*Provided,* That the face amount of bonds issued under this section and section 22 of this act shall not exceed in the aggregate \$25,000,000,000 outstanding at any one time."

SEC. 2. Section 21 of the Second Liberty Bond Act, as amended (U. S. C., title 31, sec. 757b), is amended to read as follows:

"SEC. 21. The face amount of bonds, certificates of indebtedness, Treasury bills, and notes issued under the authority of this act, and certificates of indebtedness issued under the authority of section 6 of the First Liberty Bond Act, shall not exceed in the aggregate \$45,000,000,000 outstanding at any one time."

The SPEAKER pro tempore. Is a second demanded?

Mr. REED of New York. Mr. Speaker, I demand a second. The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. McCORMACK] is entitled to 20 minutes, and the gentleman from New York [Mr. REED] to 20 minutes.

Mr. McCORMACK. Mr. Speaker, this is a bill which has been reported unanimously by the Committee on Ways and Means. I understand there is no objection on the Republican side. The bill in no way changes the present ceiling on the bonded indebtedness that can be outstanding. The present law puts a ceiling of \$45,000,000,000 on the outstanding indebtedness. This bill in no way changes that. However, the bill does authorize a larger percentage of that \$45,000,000,000 to be issued for long-term indebtedness than is permitted to be issued under the present law.

Mr. COOPER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. COOPER. I am sure the gentleman will agree that for all practical purposes the bill simply does this. Under existing law there is a ceiling or limit of \$45,000,000,000 for Federal securities. Under existing law the Secretary of the Treasury is authorized to issue not to exceed \$25,000,000,000 in bonds and not to exceed \$20,000,000,000 in Treasury notes or short-term securities. This bill still leaves the ceiling or the limit of \$45,000,000,000, as at present. The bill, if passed, will remove the partition between the bonds and the short-term securities and will allow the Treasury a degree of flexibility in its financing operations which it does not have now, so that the Secretary of the Treasury may issue additional bonds or additional Treasury notes or short-term securities to take advantage of the market at the time when the issuance of these securities is necessary.

Mr. McCORMACK. The statement of the gentleman from Tennessee is correct. That covers all there is to this matter.

Mr. O'MALLEY. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. O'MALLEY. If this bill becomes a law, how much more than \$25,000,000,000 will the Secretary be able to issue in long-term bonds?

Mr. McCORMACK. The Secretary, of course, could issue up to \$45,000,000,000 if this bill becomes a law, but, of course, he would not do it.

Mr. O'MALLEY. So instead of \$25,000,000,000 of long-term bonds he may issue an additional sum to raise it to \$45,000,000,000.

Mr. McCORMACK. But it does not raise the limit for outstanding indebtedness. It permits flexibility within the present \$45,000,000,000 limit.

Mr. O'MALLEY. In other words, it eliminates entirely the top on the long-term bonds.

Mr. McCORMACK. Exactly; up to forty-five billions.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes.

Mr. BOILEAU. With reference to Treasury notes, are they in any sense of the word currency?

Mr. McCORMACK. No. That—Treasury notes—is an evidence of short-term indebtedness.

Mr. BOILEAU. The bill refers to the present limitation of \$20,000,000,000 in Treasury notes, certificates of indebtedness and Treasury bills. Are any of those considered currency in any sense of the word?

Mr. McCORMACK. No.

Mr. COOPER. They are what is commonly called short-term indebtedness, not to exceed 5 years.

Mr. BOILEAU. All interest-bearing?

Mr. COOPER. Yes, not to exceed 5 years; whereas the other bonds, of course, may run for 20 years.

Mr. BOILEAU. So there is no change whatsoever in the authority to issue currency or non-interest-bearing obligations?

Mr. McCORMACK. No; this bill does not touch that question at all.

Mr. MAPES. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MAPES. Will the gentleman from Massachusetts explain just why this legislation is necessary?

Mr. McCORMACK. The report clearly shows the reason. This is stated in paragraph 3:

Under existing legislation the total additional amount of bonds which may be issued is approximately \$1,700,000,000, while the total additional amount of notes, certificates of indebtedness, and Treasury bills which may be issued is about \$6,170,000,000.

In other words, there is about \$23,300,000,000 of bonds outstanding. The margin between that and the \$25,000,000,000 limit is, as the gentleman will note, very small.

It is to the advantage of the Government to refinance short-term indebtedness as quickly as possible, changing them into long-term indebtedness, particularly where the short-term indebtedness is rather large, as it is at the present time.

Mr. COOPER. Mr. Speaker, will the gentleman yield on that point?

Mr. McCORMACK. I yield.

Mr. COOPER. I may say to the gentleman from Michigan in further answer, that as was very ably pointed out by the gentleman from Massachusetts, under existing legislation the total additional amount of bonds which may be issued is approximately \$1,700,000,000; that is, out of the present \$25,000,000,000 limitation.

Mr. MAPES. Is it true that the Department wants to issue more long-term bonds than the \$1,700,000,000 which it can issue under existing law?

Mr. COOPER. I was in the act of inviting the gentleman's attention to a further explanation in the report on that particular point.

The Treasury deems it necessary to reserve approximately \$248,000,000 of the present bond limitation to cover estimated additional issues of the United States savings bonds; that is, the small bonds. This taken from the \$1,700,000,000 leaves only about \$1,450,000,000 additional authority that the Secretary of the Treasury would have; and he is a little afraid that this might not be sufficient to meet Treasury requirements in connection with maturing notes aggregating more than \$1,600,000,000. That is the situation.

Mr. McCORMACK. And I call the attention of the gentleman from Michigan to page 2 of the report, the second paragraph:

The bill will have no effect whatever on the total of the public debt outstanding. This amount will depend upon expenditures made pursuant to law.

I call the gentleman's attention particularly to this statement:

It does permit the Secretary of the Treasury to issue securities best suited at the time to meet the conditions of the market and the needs of the Government within the limits of the bill.

That, in substance, states the objective of the bill.

Mr. MAPES. The gentleman from Massachusetts says this bill is reported unanimously by the Committee on Ways and Means?

Mr. McCORMACK. It is.

Mr. MARTIN of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. MARTIN of Massachusetts. In the event the proposal to remove tax exemptions from Government bonds should go through, would this legislation be necessary?

Mr. McCORMACK. This legislation is separate and distinct from the other question to which the gentleman has referred. This in no way changes existing law so far as the amount of the outstanding indebtedness is concerned. It does exchange existing law to permit flexibility as between the amount of long- and short-term indebtedness that may be outstanding at one time.

Mr. COOPER. Mr. Speaker, will the gentleman yield on that particular point?

Mr. McCORMACK. I yield.

Mr. COOPER. On the particular point the gentleman has in mind, it will be remembered, of course, that the so-called long-term, or United States bonds, are taxable for surtaxes;

whereas, the short-term notes and certificates, the short-term evidences of indebtedness, are entirely tax exempt.

Mr. McCORMACK. That is correct.

Mr. MARTIN of Massachusetts. I did not know about that.

Mr. COOPER. And the whole result of the pending bill will probably be to get more long-term bonds and less short-term evidences of indebtedness.

Mr. McCORMACK. I do not think the tax-exempt feature would in any way affect these transactions. That is an entirely different question than the one involved in this bill.

Mr. BUCKLER of Minnesota. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield.

Mr. BUCKLER of Minnesota. Information I have from ordinary sources in regard to Treasury operations is that short-term securities draw less interest in some cases than the long-term bonds, the short-term notes drawing as little as one-quarter and one-eighth percent.

Mr. McCORMACK. That is true; I have noticed that.

Mr. BUCKLER of Minnesota. Long-term loans, on the other hand, draw as much as 2½ percent.

Mr. McCORMACK. Yes. I think the average is about 2½ percent on long-term bonds.

Mr. BUCKLER of Minnesota. Does not the gentleman think this would be in the interest of some fellows who wanted to buy bonds?

Mr. McCORMACK. No.

Mr. BUCKLER of Minnesota. And to get extra interest?

Mr. McCORMACK. There is nothing like that purpose contemplated in this bill, I assure my friend.

Mr. BUCKLER of Minnesota. I think it is better to get short-term bonds.

Mr. McCORMACK. It is advantageous to convert short-term bonds of indebtedness into long-term evidences of indebtedness as quickly as possible, because it gives stability and that is true from every angle you look at it. Your short-term evidence of indebtedness carries a lower interest rate in part because of what the gentleman from Tennessee [Mr. COOPER] said. It is not subject to the surtax or the normal tax. Then again they are issued for an immediate purpose. However, it is advisable as quickly as possible to have them converted into long-term evidences.

Mr. COOPER. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Tennessee.

Mr. COOPER. May I make one point in connection with the question asked by the gentleman from Minnesota? All this does is to allow discretionary authority to the Secretary of the Treasury to issue the type of obligation that is in the best interest of the Government. Of course, if he can get a better interest rate and it is deemed better all the way around to issue short-term notes, obviously he will do that. On the other hand, if he can get a favorable interest rate and it is to the best interest of the Government to issue the long-term bonds, he has discretionary authority to do that. It might be interesting to remember that during about the first year of the administration of the present Secretary of the Treasury, as I now remember, he saved something like \$125,000,000 through refinancing operations and reduction in interest rates on Government securities.

Mr. CROWTHER. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. CROWTHER. May I ask the gentleman from Massachusetts if he knows whether application for this extension of power resulted from any difficulty in procuring short-term money?

Mr. McCORMACK. I have not seen any evidence of difficulty. I noticed the last issue was substantially oversubscribed; so that I do not think that question is involved. I think this is really in the interest of sound financing.

Mr. CROWTHER. In answer to the question asked by the gentleman from Minnesota, may I say it is clearly evident to everybody, I think, that if the Secretary of the Treasury takes advantage of what is given him in this resolution for a

very considerable amount of added bond issue we have, we will add materially to the debt of the United States through the interest charge? A long time ago a very distinguished Speaker, in answer to the criticism of having a Budget of \$960,000,000, said on the floor of the House that this was a billion-dollar country. We are now a billion-dollar country insofar as our interest charges are concerned, which at the present time are over \$970,000,000 annually. Of course, the issuance of new long-term bonds will materially add to the debt of the United States through increased interest charges.

Mr. McCORMACK. But the gentleman from New York, I am sure, recognizes the necessity of long-term issuances and that short-term evidences are only to meet an immediate situation, and, further, that it is unwise to continue them ad infinitum.

Mr. CROWTHER. I am not questioning the method or whether it is proper procedure to let the Secretary of the Treasury have an element of discretion in that determination. I do not question that at all. I did not when my own Secretary was in, and I do not do so now.

Mr. COOPER. In line with the gentleman's statement, it is true that recently the Treasury has been able to get short-term money, as it is called, at the lowest rate in all history, even as low as 9 mills in some instances. However, I recall there were some instances where the interest rate on some of the so-called 5-year loans amounted to more than the interest rate on some of the so-called long-term loans. It is for the purpose of meeting the situation as it develops and as it arises.

Mr. McCORMACK. This bill is decidedly in the best interests of the Government.

Mr. CROWTHER. In answer to the statement made by the gentleman from Tennessee, may I say that one reason for that is there is no other place in God Almighty's world for the money to go except into Government securities. That is the reason you can get it so cheaply. The banks are flooded with money, and there is no other place for it to go.

Mr. PACE. Will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Georgia.

Mr. PACE. There are two features. I understand one is to try to get rid of tax-exempt securities.

Mr. McCORMACK. That has nothing to do with this bill.

Mr. PACE. It is admitted you cannot apply the exemption to securities already issued?

Mr. McCORMACK. I prefer not to enter into that field of discussion now.

Mr. PACE. Let me get to the point. Under this bill we are eliminating short-terms and creating long-terms, which cannot be made tax-exempt as soon as we are in position to enact a law?

Mr. McCORMACK. This bill does not accomplish what the gentleman states, although what he states is partially correct. This in no way changes the present law as to the ceiling, but it allows the Secretary of the Treasury to issue long-term bonds in excess of \$25,000,000,000, which is the ceiling now, but it does not increase the total ceiling of long- and short-term issuances, which, under existing law, is \$45,000,000,000.

Mr. PACE. It seems to me it places more long-terms beyond the reach of the tax feature whenever it is enacted; that you have created that many more long-terms and put them out, and therefore cannot reach them with your tax feature.

Mr. McCORMACK. This bill has no relationship to the proposal to tax or to issue bonds subject to the surtax and the normal tax, so far as outstanding bonds are concerned.

This bill has no direct relationship to the question of tax-exempts. That is an entirely different legislative question. While it is related to bonds and their issuance, it is not pertinent to this bill. The gentleman and I probably have similar views on that question, but I hope this bill will not be confused with that issue.

Mr. BOILEAU. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Wisconsin.

Mr. BOILEAU. The gentleman from Tennessee referred to the low interest rate on short-term loans. I recall seeing a newspaper article recently which bore out what the gentleman stated, that the interest rate was as low as 9 cents per \$1,000, which is about one-tenth of 1 percent on short-term loans. Will the gentleman give us any information as to the length of time those loans were outstanding—whether 30 days, a year, or 5 years, if the gentleman happens to know? It is very interesting to have information as to how low a rate of interest the Government is paying on some of its obligations.

Mr. COOPER. If the gentleman will yield, I may say I do not have that information immediately available, but the Secretary of the Treasury, when he appeared before our committee on the pending bill, made the statement that on some of the short-term loans, I believe it was in connection with 60-day paper, the interest rate was 9 mills, the lowest rate in all history.

Mr. BOILEAU. Does the Treasury, after the expiration of the 60 days, have any difficulty in getting a renewal or an equivalent amount of money at a comparatively low rate?

Mr. COOPER. I understand they do not; no.

Mr. FLETCHER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Ohio.

Mr. FLETCHER. A moment ago the gentleman from New York [Mr. CROWTHER] implied that the people were investing in Government securities because they had no other place to go or to put their money. I should like to ask the gentleman if, because of their reminiscences of the tragedy of investing in the last few years of the Hoover administration, when they lost so many millions of dollars in investments, the people perhaps feel their safety lies in investing in Government securities under the present administration?

Mr. REED of New York. Mr. Speaker, will the gentleman permit me to answer that question?

Mr. FLETCHER. I do not like that implication.

Mr. REED of New York. Will the gentleman yield to me?

Mr. COOPER. There is no partisanship in this.

Mr. FLETCHER. No; no partisanship, of course. I spoke as I did because the remark to which I replied seems to imply partisanship.

Mr. McCORMACK. I am not disputing the gentleman's interpretation, but I am frank in stating that I make no such interpretation of any remarks that have been made, although I may not have been listening as attentively as my distinguished friend, but I do hope we will have nothing controversial injected into this pleasant and happy little family discussion we are holding now.

Mr. FLETCHER. I may say to the gentleman the statement has been made that the people have no other place to invest. The implication would seem obvious. My comment was made in a kindly spirit, of friendly good will, but in a discussion on this subject I do not want a statement to go unanswered that might give the impression there is no other place in God Almighty's world for the money to go except in Government securities, as was just stated a moment ago.

[Here the gavel fell.]

Mr. REED of New York. Mr. Speaker, I had not intended to use any of my time. I have been trying on this side of the House to keep the political situation out of the picture. I may say frankly that nothing would give me more pleasure or more keen delight than to discuss in a partisan way the very question the gentleman from Ohio has raised, but I talked with the gentleman on that side and I understood when we came in here with a unanimous report that this was not a partisan matter and that we wanted to facilitate the passage of this legislation. I am going to stick to that agreement, and I hope the rest of the Members will do so. There is no reason this bill should not be passed.

Mr. FLETCHER. Mr. Speaker, will the gentleman yield?

Mr. REED of New York. I yield to the gentleman from Ohio.

Mr. FLETCHER. I did not raise that issue, I may say to the gentleman from New York, I was merely replying to a statement of another Member, and I believe the RECORD will so show.

Mr. REED of New York. I think I understand the English language.

The SPEAKER pro tempore (Mr. RAYBURN). The question is, Shall the rules be suspended and the bill be passed?

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

BRIDGE BETWEEN FRIAR POINT, MISS., AND HELENA, ARK.

Mr. WHITTINGTON. Mr. Speaker, I renew my request to return to Consent Calendar No. 749 for the immediate consideration of the bill H. R. 10261. After a reservation of objection by the gentleman from Massachusetts [Mr. MARTIN], I temporarily withdrew my request. I have conferred with the gentleman from Michigan [Mr. WOLCOTT], the gentleman from Illinois [Mr. CHURCH], and the gentleman from California [Mr. COSTELLO], and it is agreeable to them to return the bill.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi to return to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the town of Friar Point, Miss., and Coahoma County, Miss., singly or jointly, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, from or near Friar Point, Coahoma County, Miss., to a point at or near Helena, Phillips County, Ark., in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, and subject to the conditions and limitations contained in this act.

SEC. 2. There is hereby conferred upon the town of Friar Point, Miss., and Coahoma County, Miss., acting singly or jointly, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said town of Friar Point, Miss., and Coahoma County, Miss., acting singly or jointly, be, and are hereby, authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed 40 years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls, or the rates of toll shall thereafter be so adjusted as to provide a fund of not to exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendment:

Page 3, line 14, after the word "tolls", strike out the remainder of the line and all down to and including the word "management" in line 18.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BRIDGE ACROSS MISSOURI RIVER NEAR RULO, NEBR.

Mr. LUCKEY of Nebraska. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 10297) to extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Rulo, Nebr.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Rulo, Nebr., authorized to be built by John C. Mullen, John H. Hutchings, William Shepherd, their heirs, legal representatives, and assigns, by act of Congress approved March 4, 1933, heretofore extended by act of Congress approved May 15, 1937, are hereby extended 1 and 3 years, respectively, from the date of approval hereof. SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 8, strike out the word "act" and insert the word "acts"; and in line 9, after the word "approved", insert "August 23, 1935, and."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PERMISSION TO ADDRESS THE HOUSE

Mr. TOBEY. Mr. Speaker, John Fiske, the historian, wrote a book entitled "Critical Periods of American History." We are in such a period now.

Thoughtful men and women, regardless of party, are tremendously apprehensive of what the future holds for our American form of government.

This apprehension is confirmed by the words of Brig. Gen. Pelham D. Glassford, retired, who, in a recent interview at his home in Phoenix, Ariz., as reported by the Associated Press in the New York Sun of May 12, said that he predicted a dictatorship in the United States before the 1940 Presidential election. He continued—I quote:

Both the present administration and the Nation's businessmen have proved they cannot save us.

I am so thoroughly convinced of the acuteness of distress in the United States that I am willing to predict there will be no Presidential election for 1940. Before that time arrives economic conditions will have come to such a pass as to force declaration of a state of emergency and establishment of a dictatorship—

He declared.

This is not the cry of an alarmist and this prophecy does not spring from a fantastic mind, but is an expression of the views of one of the Nation's most esteemed and respected military leaders.

General Glassford was the youngest American brigadier general in the World War and was chief of the Washington police for several years. When a man with his background makes such a statement as this it is time for the people of America to be deeply concerned.

Wake up, America, before it is too late.

F. GRAY GRISWOLD—CONFERENCE REPORT

Mr. BEITER submitted a conference report and statement on the bill (H. R. 7104) for the relief of the estate of F. Gray Griswold.

APPOINTMENT OF ADDITIONAL FEDERAL JUDGES—CONFERENCE REPORT

Mr. SUMNERS of Texas submitted a conference report and statement on the bill (S. 3691) to provide for the appointment of additional judges for certain United States district courts, circuit courts of appeals, and certain courts of the United States for the District of Columbia.

EXTENSION OF REMARKS

Mr. KRAMER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Record on National Air Mail Week.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. COCHRAN. Mr. Speaker, I ask unanimous consent to extend my own remarks and include therein an address delivered by Chief Justice Hughes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. RABAUT asked and was given permission to revise and extend his own remarks in the RECORD.

Mr. LUCAS. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a part of an address made by the Honorable Henry Horner, Governor of Illinois, at the Fourth Annual Convention of the Daily Newspaper League at the Hotel Abraham Lincoln in Springfield, Ill., on May 9, 1938.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. FLETCHER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD with respect to the colloquy I had a moment ago with the gentleman from New York [Mr. REED].

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MURDOCK of Arizona and Mr. CULKIN asked and were given permission to revise and extend their own remarks in the RECORD.

PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. RAYBURN). Today it would not be in order to call the Private Calendar, except by unanimous consent. Tomorrow it is in order, but tomorrow the Chair is certain will be taken up by a call of committees and the omnibus claims bill. Therefore, if there be no objection, the Chair will order the individual bills on the Private Calendar called today. Is there objection?

There was no objection.

JAMES W. GILSON

The Clerk called the bill (S. 2504) for the relief of James W. Gilson.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and the bill was recommitted to the Committee on Claims.

PROCEDURE UNDER OMNIBUS CLAIMS BILL

Mr. COCHRAN. Mr. Speaker, I rise to submit a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. COCHRAN. The Chair has stated that tomorrow an omnibus claims bill will be called up. I recall that the last time that an omnibus claims bill was called up a Member rose and moved to strike out a certain title which, of course, was permissible under the rule. However, after he had moved to strike out the title and was recognized, he immediately stated that he did not propose to insist upon his motion, but that he offered the motion for the purpose of giving the House some information relative to the title under consideration. As I understand the spirit of the rule, there shall be 5 minutes granted in opposition to the title and 5 minutes in favor of the title, each bill being a separate title. It seems to me that the spirit of the rule was violated on that occasion, because there were two speeches of 5 minutes each in favor of the title or bill, and no speech in opposition to the title. My parliamentary inquiry is whether a point of order would lie against the motion of a Member to strike out the title when, as a matter of fact, the Member was not in favor of striking out the title.

The SPEAKER pro tempore. The present occupant of the Chair would have no way of reading a Member's mind or questioning his motives with reference to any amendment that he might offer. The Chair thinks that any Member who gained the floor to offer any permissible amendment would be in order and he would be entitled to the floor.

Mr. COCHRAN. It was certainly a violation of the spirit of the rule when one offers an amendment to strike out a title and then in the first sentence after recognition says

that he is not going to insist upon his motion and consumes 5 minutes that should be allowed in opposition to the title.

The SPEAKER pro tempore. The rule interpreted otherwise would make it pretty hard on the occupant of the chair.

Mr. DOWELL. Where it becomes apparent to the Chair that a motion is made for the purpose of delay, then a point of order may be made and would be sustained, would it not?

The SPEAKER pro tempore. The present occupant of the chair understands that the determination of whether a motion is dilatory is entirely within the discretion of the Chair.

SHERM SLETHOLM, LONEATA SLETHOLM, ET AL.

The Clerk called the bill (S. 2644) for the relief of Sherm Sletholm, Loneata Sletholm, Lulu Yates, Madeline Yates, and the estate of Ella A. Morris.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the following-named persons, all of Portland, Oreg., the sums hereinafter specified, in full satisfaction of all their claims against the United States for damages resulting from a collision on October 11, 1936, at the intersection of Union and Denver Avenues, Portland, Oreg., between the car in which they were riding and a War Department ambulance: Sherm Sletholm, \$3,299.65; Loneata Sletholm, \$315.70; Lulu Yates, \$1,206.55; Madeline Yates, \$536.40; and (2) to the estate of Ella A. Morris, late of Portland, Oreg., the sum of \$2,844.55, in full satisfaction of all its claims against the United States for damages resulting from the death of said Ella A. Morris in such collision: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claims. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amounts appropriated in this act in excess of 10 percent thereof on account of service rendered in connection with such claims, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

HELENE LANDESMAN

The Clerk called the bill (S. 2257) for the relief of Helene Landesman.

The SPEAKER pro tempore. Is there objection?

Mr. COSTELLO. I object.

The SPEAKER pro tempore. Only one objection having been made, the Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of section 3 of the Immigration Act of 1917 (39 Stat. 875; U. S. C., title 8, sec. 136-e), excluding from the United States aliens "who have been convicted of or admit having committed a felony or other crime or misdemeanor involving moral turpitude" shall not, notwithstanding any statements which she may have made in any visa application filed by her at the American Consulate General, Vienna, Austria, be held to warrant the exclusion of, or the withholding of quota immigration visa from, Helene Landesman, sister of the United States citizens Anna Katzman and Mina Briller, wife of the lawfully resident alien Joseph Landesman and mother of the lawfully resident alien Mary Landesman.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

ERNESTINE HUBER NEUEHLLER

The Clerk called the bill (S. 2710) for the relief of Ernestine Huber Neuheiler (nee Ernestine Huber).

Mr. COSTELLO and Mr. HANCOCK of New York objected, and the bill was recommitted to the Committee on Immigration and Naturalization.

EMILIE DEW

The Clerk called the bill (H. R. 1250) for the relief of Emilie Dew.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the

Treasury not otherwise appropriated, to Emilie Dew, of Ysleta, Tex., the sum of \$5,000 for the death of her son, Charles Dew, who was killed while riding in an automobile which was struck by an automobile belonging to the United States Army and operated by R. M. Barron, a military policeman.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Emilie Dew, of Ysleta, Tex., the sum of \$2,350, in full satisfaction of all claims against the United States for the death of her minor son, Charles Dew; and to the legal guardian of Jack Welsh, a minor, of El Paso, Tex., the sum of \$635.81; to the legal guardian of Mary Jane Bowden, a minor, of El Paso, Tex., the sum of \$1,244 and to the legal guardian of Henry U. Gaines, Jr., a minor, of Ysleta, Tex., the sum of \$1,993.95, in full satisfaction of all claims against the United States for personal injuries sustained by them; said death and injuries resulting on November 14, 1936, from a collision between the automobile in which they were riding and a vehicle of the United States Army, operated by military police, at the intersection of Wilson Road and Newman Highway (United States Highway No. 54), Fort Bliss Military Reservation, Tex.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read: "A bill for the relief of Emilie Dew, Jack Welsh, Mary Jane Bowden, and Henry U. Gaines, Jr."

ANTONIO MASCI

The Clerk called the next bill, H. R. 4033, for the relief of Antonio Masci.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Antonio Masci the sum of \$500, covering the bond guaranteeing the departure from the United States of Pasquale Contrastato.

With the following committee amendment:

In line 5, after the word "Masci", strike out the remainder of the bill and insert: "of Somerville, Mass., the sum of \$500, in full satisfaction of his claim against the United States for a refund of the value of a Liberty Loan bond which he deposited to secure the appearance of an alien, Pasquale Contrastato, and which was forfeited May 8, 1928, when the alien failed to appear, although subsequent evidence disclosed that he was not subject to deportation and the said bond was mistakenly forfeited: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH SCIORTINO

The Clerk called the next bill, H. R. 5448, for the relief of Joseph Sciortino.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

L. P. M'GOWN

The Clerk called the next bill, H. R. 5904, for the relief of L. P. McGown.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to L. P. McGown, Bangor, Me., the

sum of \$188.88. Such sum represents the amount of compensation which the said L. P. McGown earned while serving as controller with the airway traffic-control station of the Bureau of Air Commerce, Department of Commerce, at Newark, N. J., from July 24, 1936, to August 27, 1936. The said L. P. McGown has been denied compensation for such period because the Civil Service Commission did not approve his appointment to such position due to his lack of aeronautical training or experience.

With the following committee amendments:

In line 6 insert a comma after the figures, strike out the words "Such sum represents the amount of", and insert "in full satisfaction of his claim against the United States for."

In line 7 strike out the words "the said L. P. McGown" and insert "he."

In line 10 insert a comma after the date "August 27, 1936", strike out the words "The said L. P. McGown has been denied compensation for such period", in lines 10, 11, and 12, and insert "which was denied."

At the end of the bill, add: "": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LAVINA KARNS

The Clerk called the next bill, H. R. 6016, for the relief of Lavina Karns.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$5,000 to Lavina Karns, widow of Ralph Karns, who died of injuries received as the result of a collision between a truck operated by the deceased Ralph Karns and a car driven by F. E. Garlough, biologist, Biological Survey, United States Department of Agriculture, on February 4, 1935, at Menomonie, Wis.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, insert a comma after the word "appropriated", strike out the words "and in full settlement against the Government, the sum of \$5,000 to Lavina Karns, widow of", appearing in lines 5, 6, and 7, and insert in lieu thereof "to Lavina Karns, of Menomonie, Wis., the sum of \$5,000, in full satisfaction of all claims against the United States for the death of her husband."

Page 1, lines 8 and 9, strike out the words "the deceased Ralph Karns and a car driven by F. E. Garlough, biologist," and insert "him and a truck of the."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUGUSTA L. COLLINS

The Clerk called the next bill, H. R. 6669, for the relief of Augusta L. Collins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Augusta L. Collins the sum of \$5,000 on account of injuries sustained by her husband, George Collins, from which injuries he later died, in an accident which occurred in New York City, N. Y., on October 16, 1935, caused by the driver of a mail truck of the Post Office Department.

With the following committee amendment:

In line 6, after the name "Collins", strike out the remainder of the bill and insert in lieu thereof the following: "of the Bronx, New York City, the sum of \$5,000, in full satisfaction of her claim against the United States for the death of her husband, George

Collins, from injuries sustained when he was struck by a United States mail truck, on October 16, 1935, at the intersection of West Thirty-third Street and Eighth Avenue, New York City: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FOREST LYKINS

The Clerk called the next bill, H. R. 7040, for the relief of Forest Lykins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Forest Lykins, of rural route No. 1, Wheelersburg, Scioto County, Ohio, the sum of \$1,000 in full satisfaction of his claim against the United States for damages for personal injuries suffered on May 25, 1936, when struck and thrown to the pavement by a truck, owned by the United States and operated by an employee of the Forest Service of the Department of Agriculture, resulting in unconsciousness, a sprained neck, ear partly severed, and numerous other cuts and bruises—a total loss of hearing having developed from the ear injury.

With the following committee amendments:

In line 7, strike out the figures "\$1,000" and insert "\$553."

In line 12, after the word "Agriculture", strike out the remainder of the bill and insert the following: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INTERNATIONAL GRAIN CO.

The Clerk called the next bill, H. R. 7043, for the relief of International Grain Co., a Minnesota corporation, of Minneapolis, Minn.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO and Mr. HALLECK objected, and, under the rule, the bill was recommitted to the Committee on Claims.

LIST & CLARK CONSTRUCTION CO.

The Clerk called the next bill, H. R. 8373, for the relief of List & Clark Construction Co.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the claim of List & Clark Construction Co. for reimbursement of damages sustained and costs incurred in July and August 1935 as the result of injunctions and restraining orders issued by the United States District Court at Deadwood, S. Dak., during the performance by said company of contract Als-11068, dated April 20, 1935, covering construction work in connection with the La Creek Teal Migratory Waterfowl Refuge, Bennett County, S. Dak., and to allow in full and final settlement of the claim a sum not to exceed \$3,400. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$3,400, or so much thereof as may be necessary for the payment of said claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM A. PATTERSON ET AL.

The Clerk called the next bill, S. 1700, for the relief of William A. Patterson; Albert E. Rust; Louis Pfeiffer; and John L. Nesbitt and Cora B. Geller, as executors under the will of James T. Bentley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of Agriculture is authorized and directed to repay, out of the special fund in the Treasury subject to check of the disbursing officer of the Department of Agriculture in which a payment of \$46,670.34 made by Patterson & Co. on August 31, 1920, was deposited, said sum of \$46,670.34 to William A. Patterson, Albert E. Rust, and Louis Pfeiffer, surviving members of the firm of Patterson & Co., a copartnership doing business in Boston, Mass., on August 31, 1920; and John L. Nesbitt and Cora B. Geller as executors under the will of James T. Bentley, a deceased member of said firm. Said sum, which is to be in full and final settlement, represents a payment made by Patterson & Co. in compliance with regulations promulgated on or about May 21, 1918, by the Wool Section of the War Industries Board, which regulations have since been held to be invalid by the Circuit Courts of Appeals for the First and Fourth Circuits, and was made under protest and upon condition that it be repaid if it should be determined by the courts that said regulations were of no legally binding effect: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, strike out all of lines 3 through 7 and the words and figures "sum of \$46,670.34" in line 8 and insert in lieu thereof the words "That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated."

Page 2, line 3, strike out the period after the word "firm", insert a comma, strike out the words "Said sum, which is to be in full and final settlement, represents", and insert in lieu thereof "the sum of \$46,670.34, in full settlement of all their claims against the United States and refund of."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAOMI STRALEY AND BONNIE STRALEY

The Clerk called the next bill, S. 2488, for the relief of Naomi Straley and Bonnie Straley.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

WILLIAM FRANKLIN BOURLAND

The Clerk called the next bill, H. R. 6461, conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which William Franklin Bourland, of the Chickasaw Nation of Indians, may have against the United States, and for other purposes.

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Indian Affairs.

SABATINO LEO

The Clerk called the next bill, H. R. 2609, for the relief of Sabatino Leo.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule the bill was recommitted to the Committee on Immigration and Naturalization.

AUTHORIZING PRESIDENT TO APPOINT SGT. SAMUEL WOODFILL A CAPTAIN IN THE UNITED STATES ARMY

The Clerk called the next bill, S. 300, authorizing the President of the United States to appoint Sgt. Samuel Woodfill a captain in the United States Army and then place him on the retired list.

Mr. WADSWORTH and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Military Affairs.

QUIETING TITLE TO CERTAIN ISLANDS IN THE TENNESSEE RIVER

The Clerk called the next bill, H. R. 7590, to quiet title and possession to certain islands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States, except such right, title, and interest as has been acquired by the United States through purchase or condemnation, in and to all of the following-described property, to wit—

An island known as the "Brush Creek Island" lying in the Tennessee River in sections 14 and 15, township 2 south, range 14 west, in Lauderdale, Ala.; and

An island known as the "Bluff Creek Island" lying in the Tennessee River in section 19, township 2 south, range 13 west, in the county of Lauderdale, State of Alabama; and

An island known as the "Waterloo" or "Bledsoe Island" lying in the Tennessee River in section 12, township 2 south, range 15 west, in the county of Colbert, State of Alabama.

be, and the same is hereby, released, relinquished, and confirmed by the United States to the owners of the equitable titles thereto, as fully and completely in every respect whatever as could be done by patents issued according to law: *Provided*, That this act shall amount to a relinquishment of any title the United States has or is supposed to have in and to any of the said lands and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this act being to concede and abandon all right, title, and interest of the United States to the lands described herein to those persons, estates, firms, or corporations who would be the equitable owners of said lands under the laws of the State of Alabama in the absence of the said interest, title, and estate of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUIETING TITLE AND POSSESSION TO CERTAIN LANDS IN THE TENNESSEE RIVER

The Clerk called the next bill, H. R. 8134, to quiet title and possession to certain lands in the Tennessee River in the counties of Colbert and Lauderdale, Ala.

Be it enacted, etc., That all the right, title, and interest of the United States, except such right, title, and interest as has been acquired by the United States through purchase or condemnation, in and to all of the following-described property, to wit:

A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in township 3 south, range 11 west, said tract being an island and more particularly described as follows:

An island named "Garner Towhead," lying in the Tennessee River, the upstream tip of which is approximately 970 feet south of and approximately 2,700 feet east of the northwest corner of section 31. Said island has an approximate maximum length of 3,040 feet and an approximate maximum width of 430 feet.

The above-described island contains 23.4 acres, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in township 3 south, range 11 west, said tract being an island and more particularly described as follows:

An unnamed island lying in the Tennessee River, the downstream tip of which is approximately 1,570 feet south of and approximately 2,660 feet east of the northwest corner of section 31. Said island has an approximate maximum length of 1,220 feet and an approximate maximum width of 290 feet.

The above-described island contains 5.2 acres, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in townships 3 and 4 south, range 12 west, said tract being an island and more particularly described as follows:

An unnamed island lying in the Tennessee River, the downstream tip of which is approximately 5,340 feet south of and approximately 2,220 feet east of the northwest corner of section 36. Said island has an approximate maximum length of 550 feet and an approximate maximum width of 90 feet.

The above-described island contains 0.8 acre, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in township 3 south, range 11 west, said tract being an island and more particularly described as follows:

An unnamed island lying in the Tennessee River, the upstream tip of which is approximately 2,700 feet S. of and approximately 430 feet east of the northwest corner of section 31. Said island has an approximate maximum length of 440 feet and an approximate maximum width of 350 feet.

The above-described island contains 1.7 acres, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in township 4 south, range 12 west, said tract being an island and more particularly described as follows:

An island known as "Pippin Towhead" lying in the Tennessee River, the downstream tip of which is approximately 920 feet south of and approximately 2,600 feet east of the northwest corner of section 2. Said island has an approximate maximum length of 3,620 feet and an approximate maximum width of 650 feet.

The above-described island contains 39.5 acres, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in townships 3 and 4 south, range 12 west, said tract being an island and more particularly described as follows:

An island known as "No Man Towhead" lying in the Tennessee River, the upstream tip of which is approximately 4,700 feet south of and approximately 2,700 feet east of the northwest corner of section 36. Said island has an approximate maximum length of 2,000 feet and approximate maximum width of 300 feet.

The above-described island contains 11.2 acres, more or less; and A tract of land lying in Lauderdale County, State of Alabama, in the Tennessee River, in township 3 south, ranges 11 and 12 west, said tract being an island and more particularly described as follows:

An island known as "Goat Towhead" lying in the Tennessee River; the downstream tip of which is approximately 4,520 feet south of and approximately 2,440 feet east of the northwest corner of section 36. Said island has an approximate maximum length of 3,670 feet and an approximate maximum width of 740 feet.

The above-described island contains 45.3 acres, more or less. be, and the same is hereby, released, relinquished, and confirmed by the United States to the owners of the equitable titles thereto, as fully and completely in every respect whatever as could be done by patents issued according to law: *Provided*, That this act shall amount to a relinquishment of any title the United States has or is supposed to have in and to any of the said lands and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this act being to concede and abandon all right, title, and interest of the United States to the lands described herein to those persons, estates, firms, or corporations who would be the equitable owners of said lands under the laws of the State of Alabama in the absence of the said interest, title, and estate of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

QUIETING TITLE TO CERTAIN ISLAND IN THE TENNESSEE RIVER

The Clerk called the next bill, H. R. 8252, to quiet title and possession to a certain island in the Tennessee River in the County of Lauderdale, Ala.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That all the right, title, and interest of the United States, except such right, title, and interest as has been acquired by the United States through purchase or condemnation, in and to the following-described property, to wit: An island known as the Jenkins Island, lying in the Tennessee River in section 19, township 2, range 13 west, in Lauderdale County, Ala., be and the same is hereby, released, relinquished, and confirmed by the United States to the owner of the equitable title thereto as fully and completely in every respect whatever as could be done by patents issued according to law: *Provided*, That this act shall amount to a relinquishment of any title the United States has or is supposed to have in and to said land and shall not be construed to abridge, impair, injure, prejudice, or divest in any manner any valid right, title, or interest of any person or body corporate whatever, the true intent of this act being to concede and abandon all right, title, and interest of the United States to the land described herein to those persons, estates, firms, or corporations who would be the equitable owners of said land under the laws of the State of Alabama in the absence of the said interest, title, and estate of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING GRANT OF PATENT FOR CERTAIN LANDS IN NEW MEXICO TO MITT TAYLOR

The Clerk called the next bill, H. R. 9371, authorizing the grant of a patent for certain lands in New Mexico to Mitt Taylor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to issue a patent, under the stockraising homestead entry, Las Cruces, N. Mex., No. 040822, made by Mitt Taylor on October 19, 1929, for the west half of section 4, township 2 south, range 9 west, New Mexico principal meridian, in support of which satisfactory final proof as to residence and improvements was submitted October 17, 1935.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ALVIN C. YORK

The Clerk called the next bill, S. 1236, authorizing the President of the United States to appoint Sgt. Alvin C. York as a major in the United States Army and then place him on the retired list.

Mr. COSTELLO, Mr. WADSWORTH, and Mr. HANCOCK of New York objected, and, under the rule, the bill was re-committed to the Committee on Military Affairs.

CONVEYANCE MADE BY THE SOUTHERN PACIFIC RAILROAD CO. INVOLVING RIGHT OF WAY IN INDIO, CALIF.

The Clerk called the next bill, H. R. 8849, validating a certain conveyance, heretofore made by the Southern Pacific Railroad Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the town of Indio, in the county of Riverside, State of California, acquired under the act of Congress approved July 1, 1862 (12 Stat. L. 489), as amended by the act of Congress approved July 2, 1864 (13 Stat. L. 356).

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the conveyance hereinafter particularly described and heretofore executed by Southern Pacific Railroad Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain lands or interest therein, in the town of Indio, in the county of Riverside, State of California, and forming a part of the right-of-way of said Southern Pacific Railroad Co., granted by the Government of the United States of America by an act of Congress approved July 1, 1862, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes" (12 Stat. L. 489), and by said act as amended by act of Congress approved July 2, 1864, entitled "An act to amend an act entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes', approved July 1, 1862" (13 Stat. L. 356), is hereby legalized, validated, and confirmed with the same force and effect as if the land involved therein had been held at the time of such conveyance by the corporations making the same under absolute fee-simple title.

The conveyance, recorded in the office of the county recorder of Riverside County, Calif., in book of official records, which is hereby legalized, validated, and confirmed, is as follows:

December 15, 1937: Volume 351, page 351, A. L. Wood, John Clinton Estate, Indio fire protection district, C. W. Walker, Jane Walker, and Faye Massey.

Provided, That such legalization, validation, and confirmation shall not in any instance diminish said right-of-way to a width less than 50 feet on either side of the center of the main track or tracks or said Southern Pacific Railroad Co. as now established and maintained: *Provided further*, That nothing herein contained is intended or shall be construed to legalize, validate, or confirm any rights, titles, or interests based upon or arising out of adverse possession, prescription, or abandonment, and not confirmed by conveyance heretofore made by Southern Pacific Railroad Co. and its lessee, Southern Pacific Co.: *And provided further*, That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior may prescribe.

With the following committee amendments:

Page 2, line 4, after the word "by", strike out the remainder of the line and all down to and including "(356)" in line 15 and insert "Section 23 of the act of Congress approved March 3, 1871 (16 Stat. 573)."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill validating a certain conveyance, heretofore made by the Southern Pacific Railroad Co., a corporation, and its lessee, Southern Pacific Co., a corporation, involving certain portions of right-of-way in the town of Indio, in the county of Riverside, State of California, acquired under section 23 of the act of March 3, 1871 (16 Stat. 573)."

A motion to reconsider was laid on the table.

RELIEF OF DEPASS AND MAINES AND ALACHUA COUNTY HOSPITAL

The Clerk called the next bill, H. R. 2347, for the relief of DePass and Maines and Alachua County Hospital.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Drs. DePass and Maines, of Gainesville, Alachua County, Fla., the sum of \$99; and to the Alachua County Hospital the sum of \$68.75. Such sums shall be in full settlement of all claims against the United States arising out of services rendered and supplies furnished by such persons and hospital to Melvin M. Jordan, private, detached enlisted men's list, Reserve Officers' Training Corps, on account of injuries sustained by the said Melvin M. Jordan, while on leave

of absence, April 6, 1935; *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "appropriated", strike out "to Drs. DePass and Maines" and insert "jointly to Drs. M. H. DePass and John E. Maines, Jr."

Page 1, line 9, strike out "\$68.75. Such sums shall be" and insert in lieu thereof "\$68.75."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read "A bill for the relief of Drs. M. H. DePass and John E. Maines, Jr., and the Alachua County Hospital."

MRS. R. A. SMITH

The Clerk called the next bill, H. R. 4227, for the relief of Mrs. R. A. Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. R. A. Smith the sum of \$5,000, in full settlement of all claims against the United States for personal injuries received as a result of a collision with a Forest Service truck and the private car in which Mrs. R. A. Smith was a passenger October 22, 1934, near Yellowpine, Tex.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the word "Smith", insert "of San Augustine, Tex."

Page 1, line 6, strike out "\$5,000" and insert "\$2,500."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGH O'FARRELL AND ESTATE OF THOMAS GAFFNEY

The Clerk called the next bill, H. R. 4304, for the relief of Hugh O'Farrell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$104 to Hugh O'Farrell, deputy United States marshal and chief jailer, Nome, Alaska, the same having been advanced by the United States to the said Hugh O'Farrell for payment of matron hire, and having been subsequently paid from the said Hugh O'Farrell's personal funds, because the original moneys advanced therefor had been placed for safekeeping in a Government safe in the United States courthouse at Nome, Alaska, where it was destroyed by fire on September 17, 1934, without fault or negligence on his part, when the building and contents were burned.

With the following committee amendments:

Page 1, line 7, after the word "Alaska", strike out the remainder of the line down to and including the word "been" in line 11 and insert the following: "In full satisfaction of his claim against the United States for a sum advanced him by the United States marshal for matron hire which was."

Page 2, line 6, after the word "burned", insert "and which he has refunded to the marshal, who accounted to the Government for it." "Sec. 2. That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise

appropriated, to the executor of the estate of Thomas Gaffney, deceased, former United States marshal for the second division, Territory of Alaska, the sum of \$416.75 in full satisfaction of its claim against the United States for a refund of funds placed for safekeeping in a Government safe in the United States courthouse at Nome, Alaska, where it was destroyed by fire on September 17, 1934, without fault or negligence on the marshal's part, when the building and contents were burned, and for which he accounted to the Government.

"Sec. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Hugh O'Farrell and the estate of Thomas Gaffney."

LE ROY W. HENRY

The Clerk called the next bill, H. R. 5957, for the relief of LeRoy W. Henry.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$27 to LeRoy W. Henry, in full settlement of all claims against the United States for injuries sustained by the said LeRoy W. Henry when he fell into an unguarded ditch under construction by the Works Progress Administration adjacent to his home in Prescott, Mich., on December 20, 1935: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out "\$27" and insert "\$32."

Page 1, line 6, after the word "Henry", insert "of Prescott, Mich."

Page 1, line 8, strike out the words "by the said LeRoy W. Henry."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERKELEY COUNTY HOSPITAL AND DR. J. N. WALSH

The Clerk called the next bill, H. R. 6847, for the relief of the Berkeley County Hospital and Dr. J. N. Walsh.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$133.57 to the Berkeley County Hospital and the sum of \$50 to Dr. J. N. Walsh, both of Moncks Corner, S. C.; in all, \$183.57, in full settlement of all claims against the United States for hospitalization and medical treatment rendered David Gethers, 12, and Lula Crosby, 13, for personal injuries sustained by them on December 11, 1936, at Moncks Corner, S. C., as a result of being struck by a Treasury Department (Secret Service Division) car, which was operated by a Secret Service agent engaged in his official duties: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 10, after the word "Gethers", strike out the word "twelve", and after the word "Crosby" strike out the word "thirteen" and insert "both minors."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

JAMES MOHIN

The Clerk called the next bill, H. R. 7060, for the relief of James Mohin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated and in full settlement against the Government, the sum of \$25,000 to James Mohin for permanent injuries sustained as a result of a collision with a United States Civilian Conservation Corps truck: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, beginning in line 3, strike out all of line 3 and down to and including the word "truck" in line 9 and insert the following: "That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James Mohin, of New Hampton, N. Y., the sum of \$7,500, and to the legal guardian of Joseph Lercara, a minor, of Middletown, N. Y., the sum of \$100 in full satisfaction of all claims against the United States for personal injuries sustained by them on April 3, 1936, when they were struck by an Army truck, operated by the Civilian Conservation Corps, while walking along the Denton-New Hampton Highway, Orange County, N. Y.: *Provided*."

Mr. COSTELLO. Mr. Speaker, I offer an amendment to the committee amendment.

The Clerk read as follows:

Amendment offered by Mr. COSTELLO to the committee amendment: On page 2, line 1, after the words "the sum of", strike out "\$7,500" and insert "\$5,000."

The amendment to the committee amendment was agreed to.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of James Mohin and Joseph Lercara."

RAYMOND FINKLEA

The Clerk called the next bill, H. R. 7166, for the relief of the estate of Raymond Finklea.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury allocated by the President for the maintenance and operation of the Civilian Conservation Corps to the administrator of the estate of Raymond Finklea, late of Honey Hill, S. C., the sum of \$5,000. The payment of such sum shall be in full settlement of all claims against the United States for damages sustained by the said estate of Raymond Finklea on account of his death when the vehicle in which he was a passenger was struck on November 12, 1934, near Awendaw, S. C., by a truck in the service of the Civilian Conservation Corps: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, beginning in line 5, after the word "Treasury", strike out the remainder of line 5 and all of line 6 and insert "not otherwise appropriated."

Page 2, line 2, strike out the first word, "was", and after the word "struck" insert "a Civilian Conservation Corps truck."

Line 3, after the word "Carolina", strike out the words "by a truck in the service of the Civilian Conservation Corps."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OUACHITA WAREHOUSE, CAMDEN, ARK.

The Clerk called the next bill, H. R. 7424, for the relief of certain persons whose cotton was destroyed by fire in the Ouachita Warehouse, Camden, Ark.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the following-named persons the amounts specified in full satisfaction of their claims against the United States for damages resulting from the loss by fire on September 29, 1934, of cotton belonging to them which was stored in the Ouachita Warehouse, at Camden, Ark., upon the order of collector of internal revenue, Treasury Department, Little Rock, Ark., without insurance: C. C. McLendon, \$103.98; W. B. Yarbrough, \$120.12; and Fred Curry, \$62.76.

With the following committee amendment:

Page 2, line 3, strike out "\$62.76" and insert "\$62.75: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

STEVEDORES EMPLOYED ON UNITED STATES TRANSPORT DOCKS, SAN FRANCISCO, CALIF.

The Clerk called the next bill, H. R. 7537, for the relief of certain stevedores employed on the United States Army transport docks in San Francisco, Calif.

Mr. HANCOCK of New York. I object, Mr. Speaker.

There being no further objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, subject to the provisions of section 2 of this act, the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each of the persons named in the statement on file in the office of the Quartermaster General, War Department, as being employed as stevedores on the United States Army transport docks at the San Francisco, California, port of embarkation, between July 31, 1934, and November 24, 1934, both inclusive, the sum appearing opposite the name of each such person in the column designated "Total cash." In each case such sum represents the amount of additional pay which such person was entitled to receive during such period under the terms of an award made by the National Longshoremen's Board. Such award provided for a retroactive increase of pay from July 31, 1934, but such increase of pay was not received by such persons until after November 24, 1934.

SEC. 2. The Secretary of the Treasury shall pay any sum authorized to be paid by section 1 of this act only upon the filing of an application therefor within 1 year after the date of enactment of this act by the person duly certified by the Quartermaster General to be entitled to such sum.

With the following committee amendments:

Page 2, line 3, after the word "pay", strike out the remainder of line 3 and all of line 4 and insert "equal to that provided by."

After line 13 insert a new section as follows:

"SEC. 3. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FIRST NATIONAL BANK & TRUST CO. OF KALAMAZOO, KALAMAZOO, MICH.

The Clerk called the next bill, H. R. 7998, for the relief of the First National Bank & Trust Co. of Kalamazoo, Kalamazoo, Mich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to The First National Bank & Trust Co. of Kalamazoo, Kalamazoo, Mich., the sum of \$2,001.96, representing a refund on 21 invalid postal money orders which it paid in the amount of \$2,001.86, for which it was paid by the postmaster at Kalamazoo, Mich., and which sum the said bank and trust company subsequently refunded to the Post Office Department in compliance with persistent demands of an inspector of post offices. Said sum shall be in full settlement of all claims against the United States for losses suffered by said bank and trust company arising out of the fraudulent negotiation of said money orders by one Herman M. Sharpsteen, between December 4, 1933, and January 16, 1934, and paid by said bank and trust company without fault or negligence on its part.

SEC. 2. Nothing in this act shall be construed to prevent the recovery by the United States from Grace E. Gibson, former postmaster at Scotts, Mich., or the surety on her official bond, for the losses suffered by the United States as the result of the stealing and fraudulent negotiation of 21 postal money orders by said Herman M. Sharpsteen.

SEC. 3. No part of the amount appropriated in this act, or credited to any account by virtue of this act, in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with said claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 7, strike out the word "representing" and insert "in full satisfaction of its claim against the United States for."

Line 9, after the word "orders", strike out the remainder of line 9.

Page 2, beginning in line 1, after the word "Department", strike out the remainder of line 1 and all of lines 2, 3, 4, and 5 and insert "said loss having resulted from."

Line 7, after the word "Sharpsteen", insert "a former postal employee at Scotts, Mich."

Line 9, after the word "and", strike out "paid" and insert "payment."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SONIA M. BELL

The Clerk called the next bill, H. R. 8123, for the relief of Sonia M. Bell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Sonia M. Bell, of Birmingham, Ala., the sum of \$1,450 in full satisfaction of all claim of Sonia M. Bell against the United States for damages to her property arising out of blasting operations conducted by employees of the Works Progress Administration during the months of November and December 1936 while engaged in the operations of a Works Progress Administration project near her home.

With the following committee amendments:

Page 1, line 7, strike out "all claim of Sonia M. Bell" and insert "her claim."

Line 8, strike out "property arising out of" and insert "home resulting from."

Line 11, after the word "the", strike out "operations of a Works Progress Administration project near her home" and insert "construction of a water-supply system for the city of Birmingham, Ala.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TIFFANY CONSTRUCTION CO.

The Clerk called the next bill, H. R. 8374, for the relief of Tiffany Construction Co.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2967) may be considered in lieu of the House bill.

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of Tiffany Construction Co. for reimbursement of expenses incurred in repairing a trailer owned by the company which was damaged while loaned to the Bureau of Public Roads, Department of Agriculture, during September 1936, and to allow in full and final settlement of the claim the sum of not to exceed \$174.50. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$174.50, or so much thereof as may be necessary, for the payment of the claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 8374) was laid on the table.

H. W. ADELBARGER, JR.

The Clerk called the next bill, H. R. 8377, for the relief of H. W. Adelberger, Jr.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that a similar Senate bill (S. 2966) may be considered in lieu of the House bill.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he hereby is, authorized and directed to settle and adjust the claim of H. W. Adelberger, Jr., for reimbursement of expenses incurred in repairing an excavator owned by him which was damaged while being used by the United States Public Health Service, Treasury Department, during July and August 1935, and to allow in full and final settlement of the claim the sum of not to exceed \$95.05. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$95.05, or so much thereof as may be necessary, for the payment of the claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A House bill (H. R. 8377) was laid on the table.

JANE MURRAH

The Clerk called the next bill, H. R. 8479, for the relief of Jane Murrah.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jane Murrah, of San Diego, Calif., the sum of \$2,500 in full settlement of all her claims against the Government of the United States for injuries received by her on the 12th day of May 1932 while leaving the United States ship *Algoma*, when the inboard end of the gangway slipped off the bridge deck, causing her to fall to the deck below: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions

of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARLE EMBREY

The Clerk called the next bill, H. R. 8703, for the relief of Earle Embrey.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and, under the rule, the bill was recommitted to the Committee on Claims.

FRED H. KOCOR

The Clerk called the next bill, H. R. 8835, for the relief of Fred H. Kocor.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred H. Kocor, of Fall River, Mass., the sum of \$300 for personal injuries and automobile property damage, resulting from a collision involving Mr. Kocor and a Works Progress Administration vehicle on May 19, 1937, at Fall River, Mass.

With the following committee amendments:

In lines 6, 7, and 8, strike out the figures and words "\$300 for personal injuries and automobile property damage, resulting from a collision involving Mr. Kocor and a" and insert "\$125, in full satisfaction of his claim against the United States for personal injuries sustained when the automobile he was driving was struck by a truck operated by the".

In line 9 strike out the word "vehicle" and insert "truck".

At the end of the bill add: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HELEN M. KREKLER AND KEMP PLUMMER

The Clerk called the next bill, H. R. 9199, for the relief of Helen M. Krekler and Kemp Plummer.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to allow credit in the account of Helen M. Krekler, postmaster at Clinton, Ind., in the sum of \$392.60, representing a disallowance by the General Accounting Office of a payment made by her to a former assistant postmaster on account of accrued annual leave, but whose separation from the service was later postponed by the Post Office Department to include an allowance for said annual leave.

SEC. 2. That the Comptroller General of the United States is hereby authorized and directed to allow credit in the account of Kemp Plummer, former postmaster at Portsmouth, Va., in the sum of \$68.43, representing a disallowance by the General Accounting Office of a payment made by him to a former clerk on account of accrued annual leave, but whose separation from the service was later postponed by the Post Office Department to include an allowance for said annual leave.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Helen M. Krekler and the estate of Kemp Plummer."

FEDERAL LAND BANK OF BERKELEY, CALIF.

The Clerk called the bill (H. R. 9201) for the relief of the Federal Land Bank of Berkeley, Calif., and A. E. Colby.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to settle and adjust the joint claim of the Federal Land Bank of Berkeley, Calif., and A. E. Colby, in the sum of \$1,000, as damages to a parcel of land owned by them and situated in Trinity County, Calif., such damages having resulted from the willful trespass of employees of the

Civilian Conservation Corps stationed at Camp Mad River F-30, after May 1933, and to allow in full and final settlement of the claim the sum of not to exceed \$1,000. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,000, or so much thereof as may be necessary for payment of the claim: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

RELIEF OF CERTAIN POSTMASTERS

The Clerk called the bill (H. R. 9203) for the relief of certain postmasters and certain contract employees who conducted postal stations.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized and directed to credit the accounts of the following postmasters in the amounts indicated, such amounts representing disallowances by the General Accounting Office for payments made to contract employees who conducted post-office stations under agreements with the Post Office Department:

Batavia, N. Y., Lorenzo J. Burns, contract employee Marguerite Sullivan, 25 cents;
Minneapolis, Minn., John R. Coan, contract employee Cora B. Madson, 50 cents;
Pittsburgh, Pa., Ralph E. Smith, contract employee William G. Dean, \$75;
Portland, Oreg., Eloy T. Hedlund, contract employee William McAlpine, \$25; and
Washington, D. C., Vincent C. Burke, contract employees John J. Keegan, \$120; Rice A. Ingram, \$120; Thomas O. Mathews, \$1.67; Robert C. Whayne, \$60; Joseph A. Fleming, \$63.34.

Sec. 2. That the Comptroller General of the United States is hereby authorized and directed to cancel the charges against the following contract employees in the amounts indicated, which have heretofore been disallowed by the General Accounting Office, although the services rendered were authorized by the Post Office Department and the benefit thereof received by the Government:

Marguerite Sullivan, Batavia, N. Y., 25 cents;
Cora B. Madson, Minneapolis, \$1.
A. C. Stinson, Muskogee, Okla., \$375;
William McAlpine, Portland, Oreg., \$50;
Lorena D. Cropp, Washington, D. C., \$100; and
William F. Ryan, Washington, D. C., \$150.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DAMAGE TO CARGO OF MOTOR LAUNCH "DON BOSCO"

The Clerk called the bill (H. R. 9205) for the relief of the Comision Mixta Demarcadora de Limites Entre Colombia y Panama.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, S. 3103, which is on the Speaker's table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Comision Mixta Demarcadora de Limites Entre Colombia y Panama the sum of \$2,531.55 in full settlement of all claims against the United States for damages to cargo sustained and expenses incurred by said commission as a result of a collision on December 7, 1936, in the Bay of Panama between the motor launch *Don Bosco*, chartered by the commission, and Panama Railroad barge No. 205, operated by the Signal Corps, United States Army: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

DR. SAMUEL A. RIDDICK

The Clerk called the bill (H. R. 9297) for the relief of Dr. Samuel A. Riddick.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dr. Samuel A. Riddick, of Norfolk, Va., the sum of \$186.11 in full settlement of all claims against the Government by the said Dr. Samuel A. Riddick for the loss of instruments and personal effects destroyed in a fire at port of embarkation, Newport News, Va., in January 1919: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, line 7, after the word "the", strike out "Government by the said Dr. Samuel A. Riddick for the loss of" and insert "United States for loss of his."

The committee amendment was agreed to; and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARGARET REDMOND

The Clerk called the bill (H. R. 3045) for the relief of Margaret Redmond.

Mr. COSTELLO and Mr. HANCOCK of New York objected, and the bill was recommitted to the Committee on War Claims.

STOCKHOLDERS OF NORTH MISSISSIPPI OIL MILLS

The Clerk called the bill (H. R. 8365) for the relief of the stockholders of the North Mississippi Oil Mills, of Holly Springs, Miss.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the statutes of limitation, so far as they bar the cotton-linter claim of the stockholders of the North Mississippi Oil Mills, of Holly Springs, Miss., arising out of purchase contract No. 3486 entered into by the North Mississippi Oil Mills, of Holly Springs, Miss., on September 24, 1918, with the United States of America be, and the same are hereby, waived and revoked.

Sec. 2. That said claimants are hereby authorized to file and have said claim adjudicated by the Court of Claims of the United States.

With the following committee amendments:

Page 1, line 4, strike out "of the stockholders."

Page 2, line 1, strike out the words "claimants are" and insert the words "claimant is", and in line 2, after the word "file", insert "within 1 year after the date of the enactment of this act."

The committee amendments were agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

The title was amended so as to read "A bill for the relief of the North Mississippi Oil Mills, of Holly Springs, Miss."

BERYL M. M'HAM

The Clerk called the bill (S. 1465) for the relief of Beryl M. McHam.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Beryl M. McHam, who served in Company C, Twenty-sixth Regiment, and Company C, Eighth Regiment, United States Infantry, World War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States on the 7th day of July 1920: *Provided*, That no pay, compensation, benefit, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

MARTIN BEVILACQUE

The Clerk called the bill (H. R. 6404) for the relief of Martin Bevilacque.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring the rights, privileges, and benefits upon honorably discharged sailors, Martin Bevilacque, who served as a fireman, second class, United States Navy, shall hereafter be held and considered to have been discharged under honorable conditions from the United States Navy on December 28, 1918: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider laid on the table.

JOSEPH M'DONNELL

The Clerk called the next bill, H. R. 6936, for the relief of Joseph McDonnell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Marine Corps, their widows, children, and dependent relatives, Joseph McDonnell shall be held and considered to have been honorably discharged as a private, United States Marine Corps, on November 12, 1917: *Provided,* That no pension, pay, bounty, or other benefit (except under the World War Adjusted Compensation Act, as amended, and the Adjusted Compensation Payment Act, 1936) shall be held to have accrued prior to the enactment of this act by reason of its enactment.

Sec. 2. The Secretary of the Navy is authorized and directed to present to the said Joseph McDonnell a discharge certificate showing that the said Joseph McDonnell is held and considered to have been honorably discharged as of November 12, 1917.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

E. D. FRYE

The Clerk called the next bill, H. R. 7421, for the relief of E. D. Frye.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to pay, out of the appropriation "Pay of the Marine Corps", to E. D. Frye, of Johnstown, Pa., father of Richard Frye, late private, United States Marine Corps, an amount equal to 6 months' pay at the rate the said Richard Frye was receiving at the date of his death. The said Richard Frye, who was killed in a gun explosion on the battleship *Wyoming* on February 18, 1937, had designated his mother as beneficiary of the gratuity authorized by such act, as amended, but such beneficiary died on February 24, 1937, before payment was made.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HERBERT JOSEPH DAWSON

The Clerk called the next bill, H. R. 8192, for the relief of Herbert Joseph Dawson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers or sailors Herbert Joseph Dawson, who enlisted in the United States Navy April 20, 1917, as a fireman, second-class, shall hereafter be held and considered to have been honorably discharged from the naval service of the United States on the 8th day of January 1919: *Provided,* That no compensation, retirement pay, back pay, pension, or other benefit shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD R. WOOD

The Clerk called the next bill, S. 126, authorizing the President to present a Distinguished Service Medal to Harold R. Wood.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HANCOCK of New York and Mr. COSTELLO objected, and, under the rule, the bill was recommitted to the Committee on Naval Affairs.

HARVEY ROBINSON AND CARRIE ROBINSON

The Clerk called the next bill, H. R. 6846, for the relief of Harvey Robinson and Carrie Robinson, his wife.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harvey Robinson and Carrie Robinson, his wife, of Magnolia, Miss., out of any money in the Treasury not otherwise appropriated, the sum of \$5,000 on account of the death of their son, Leon Robinson, on February 28, 1934, whose death was caused by reason of injuries received by him when struck by a Civilian Conservation Corps ambulance in the town of Summit, Miss.: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, strike out the words "his wife."

Page 1, line 7, strike out the figures "\$5,000" and insert "\$2,500, in full settlement of all claims against the United States."

Page 1, line 8, strike out the words "February 28, 1934, whose death was caused" and insert "March 2, 1934."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The title was amended so as to read: "A bill for the relief of Harvey and Carrie Robinson."

HAROLD PRICE

The Clerk called the next bill, H. R. 6951, for the relief of Harold Price.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Harold Price, of Largo, Fla., out of any money in the Treasury not otherwise appropriated, the sum of \$779.28 in full settlement of all claims against the Government of the United States, representing expenses incident to the last illness and death and burial of John Sterling Price, formerly of the United States Navy, whose death occurred 58½ hours after his discharge: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with said claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 6, strike out the figures "\$779.28" and insert "\$244.68."

Page 1, lines 7 and 8, strike out the comma after the word "States" and the word "representing", and insert "for."

Page 1, line 9, strike out the name "John" and insert "Jack."

Page 1, lines 10 and 11, strike out the words "whose death occurred 58½ hours after his discharge: *Provided,*" and insert: "who was discharged March 7, 1936, and died March 10, 1936, from a disease allegedly incurred prior to such discharge: *Provided,* That nothing in this act shall be construed, for purpose of a pension, gratuity, or other benefit, to constitute a declaration by the United States that said Jack Sterling Price died from a disease incurred in line of duty as an enlisted man of the Navy: *Provided further,*"

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROSWELL H. HAYNIE

The Clerk called the next bill, H. R. 8051, for the relief of Roswell H. Haynie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roswell H. Haynie, the sum of \$1,000 in full settlement of all claims against the Government for injuries suffered as the result of having been struck by a United States mail truck in Baltimore on September 24, 1936, and for all expenses and losses resulting therefrom: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, on account of services rendered in connection with such claim. It shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, line 5, after the name "Haynie", insert "of Parkville, Baltimore County, Md."

Page 1, line 7, strike out the word "Government" and insert "United States."

Page 1, lines 9 and 10, strike out the words "and for all expenses and losses resulting therefrom" and insert "at the intersection of North Avenue and St. Paul Street."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRANCES M. HEINZELMANN

The Clerk called the next bill, H. R. 8391, for the relief of Frances M. Heinzelmänn.

There being no objection the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Frances M. Heinzelmänn, of Kansas City, Mo., the sum of \$5,000. Such sum shall be in full settlement of all claims against the United States for personal injuries received by her without negligence on her part, as a result of a collision between a privately owned motorcycle and a Government automobile whose license number was 146-290 and which was operated by an employee of the office of the Prohibition Administrator, district 9, Kansas City, Mo., on June 9, 1933: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum of the amount appropriated in this act in excess of 10 percent thereof on account of services rendered in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendments:

Page 1, lines 6 and 7, strike out the figures and words "\$5,000. Such sum shall be" and insert the figures "\$3,500."

Page 1, line 8, strike out the comma after the word "her" and strike out all of the bill beginning with the word "without" in line 8 through the word "was" in line 11 and insert in lieu thereof the words "when struck by a privately owned motorcycle after its collision with a Government automobile."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EARL J. LIPSCOMB

The Clerk called the next bill, H. R. 8543, for the relief of Earl J. Lipscomb.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Earl J. Lipscomb, Parsons, Tucker County, W. Va., the sum of \$162.40 in full satisfaction of his claim against the United States for damages for personal injuries suffered on October 22, 1936, when the truck in which he was riding was struck by an Emergency Conservation Work truck being operated under the United States Forest Service supervision near Parsons, W. Va.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary

notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

With the following committee amendment:

Page 1, lines 7 and 8, strike out the words "for damages."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent to dispense with further business under the Private Calendar.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BOREN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. BOREN. Is it in order to ask unanimous consent at this time for reconsideration of a bill on the calendar that was passed over?

The SPEAKER pro tempore. Does the gentleman refer to the Unanimous Consent Calendar?

Mr. BOREN. I refer to the Private Calendar.

The SPEAKER pro tempore. Was the bill objected to?

Mr. BOREN. It was.

The SPEAKER pro tempore. With reference to bills on the Private Calendar, it has not been the custom to propound such a unanimous-consent request, so the Chair is informed.

Mr. BOREN. I thank the Chair.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Alabama [Mr. HOBBS] is recognized for 20 minutes.

THE SUPREME COURT TODAY

Mr. HOBBS. Mr. Speaker, the freedom of the press is a sacred right guaranteed by our Constitution. All of us would go the limit to have this right preserved, but if it is abused I believe that equally it becomes our duty to call a halt.

Mr. Speaker, in the current issue of Harpers Magazine is an article entitled, "The Supreme Court Today."

It seems to me that a more descriptive title would be "The Supreme Court Tomorrow—and How!"

It is written by Mr. Marquis W. Childs, who is said to be the Washington correspondent of the St. Louis Post-Dispatch.

Mr. Childs may be the world's best critic. He may have the right to speak for the members of the Supreme Court, as he assumes to do. He may "have an instant familiarity with the whole range of the law and the great body of Supreme Court decisions," and be able to "implement his views with the technic and the language of the Court," and be, himself, the man who should be the next appointee. But as to each of these hypotheses there may be some disagreement.

The hour and the man have met, he seems to "implement;" the future of the Court is at stake, the President has made one bad and one good appointment, he needs advice, I am the one best qualified to advise, why should I withhold my wisdom in this time of national peril?

His "technic" further informs us that the present Supreme Court is in a bad, bad way. In the case of Mr. Justice McReynolds, his colleagues "have long been acutely aware of his ability to snarl up the law." We have in "Justice Butler a corporation lawyer who has always retained a corporation point of view." "During the past 5 years" Justice Roberts "has been the chief wabblor." "Chief Justice Hughes has been troubled by doubts, too, appearing first with the 'liberals' then with the 'conservatives.'" "During his brief service on the bench Justice Black has caused his colleagues, again 'liberal and conservative' alike, acute discomfort and embarrassment. * * * It has grown out of a lack of legal knowledge and experience, deficiencies in background and training that have led him into blunders which have shocked his colleagues on the highest Court." Even in the more kindly view of Mr. Justice Black's shortcoming, "it would not be difficult to bring about the destruction of the Court through the appointment of men lacking legal experience."

And "members of the Court have been distrustful of the President because they have doubted that he has understood the function of the Court."

So, Mr. Childs appears to feel, the Court suffers from the incompetence of two of its members, the prejudiced viewpoint of a third, the wabbling of a fourth, the doubts and shifts of the great Chief Justice and the Justices' fears that the Court may be destroyed because the President may not understand the function of the Court.

Into such a tragic situation Mr. Childs bravely rushes where angels might fear to tread, and erects his signboards to safety, away from the threatened abyss.

The President, the Court, and the Nation may be grateful. Mr. Childs may have, by his timely advice, averted catastrophe. But I, for one, feel that his article is a piece of egregious impudence, the like of which has rarely been seen. And it seems to me as stupidly erroneous as it is impudent.

The intimation that the President was "flunked out of Columbia University Law School" is utterly untrue. He studied law in Columbia for 3 years but when the examination for admission to the Bar of New York conflicted with the final examination in Columbia, he took the bar examination and passed it with credit. He could not take both, so he missed the degree at Columbia, but "flunk" he did not. He is not a bachelor of law, but he is a doctor of law of Rutgers, Washington College, Yale, William and Mary, and Notre Dame. He has other honorary degrees of Pennsylvania Military College, St. Johns, Harvard, Dartmouth, Syracuse, Oglethorpe, Southern California, American University, Hobart, Fordham, Catholic University, Temple University, Rollins, Rio de Janeiro, Buenos Aires, and University of Montevideo. So, if he missed one, he still has enough.

The other portions of Mr. Childs' diatribe are equally untenable.

Neither Mr. Justice McReynolds, nor any other one Justice, can "snarl up the law." A majority of the Court must agree on each and every interpretation. However much Mr. Childs may disagree with Mr. Justice McReynolds' deliverances, they were approved by a majority of the members of the Supreme Court before they could "snarl up the law."

Mr. Justice Butler, when an admittedly great trial lawyer, represented a great many corporations. He may have acquired then, and may have retained, "a corporation point of view." But no lawyer ever became great who could not see both sides of every case. He may be biased in favor of his clients, and this bias may carry on into judicial service, but it does not follow that he will stultify himself by striving to have the law declared to be what it is not because of blind partisanship. And here again we should remember that no man, by himself, can speak for the Supreme Court.

It is preposterous to call Mr. Justice Roberts a "wabblers." Properly understood and correctly evaluated, there has been no "wabbling." "Wise men often change their minds—fools never."

The fact that Chief Justice Hughes has sided in some cases with the liberals and in others with the conservatives is one of the marks of his greatness. It does not mean that he "has been troubled by doubts" but, to the contrary, that his clear conception of what the law is is not affected by the labels which outside writers have put upon the various members of the Court. No member of the Supreme Court has ever joined a partisan group and voted with the group, right or wrong. It is one of the glories of that august body that its members have not chosen sides and followed blindly.

Now, let us examine the case which Mr. Childs attempts to use as his text for the sermon he preaches at the President. He complains that Mr. Justice Black has caused his colleagues "acute discomfort and embarrassment" growing out of "a lack of legal knowledge and experience, deficiencies in background and training that have led him into blunders which have shocked his colleagues on the highest Court."

Mr. Justice Black is of pure Anglo-Saxon stock. He was born in a county which gave to the world Hoyt DeFriesse, one of the acknowledged leaders of the American and English bars, and one of the only two Americans ever to become

crown counsellor to a ruler of the British Empire. This county of Clay, in the State of Alabama, has also contributed to the service of the Nation a multitude of distinguished men and women who have made their marks in the various fields of their effort—teachers, preachers, lawyers, doctors, scientists, school principals and superintendents, college and university presidents, and leaders of thought and craftsmanship in many lines. All were born poor. Most of them died poor. But if that be sin, then Mr. Childs must damn many of the outstanding leaders of mankind, including that country Carpenter of Bethlehem who had not "where to lay His head." He was graduated from the law school of the university of his native State in 1906.

In 1910 he was appointed judge of the police court of Birmingham. In 1914 he was elected solicitor—prosecuting attorney—of the Circuit Court of the Tenth Judicial Circuit of Alabama. He served in this capacity until he entered the Army in 1917. But both while police court judge and solicitor he continued the practice of law in its civil and equity branches. Returning from the World War, he resumed his law practice and continued in it until he was elected to the United States Senate in 1926. During these 20 years of hard, studious work in the general practice of the law he gained an enviable reputation for his knowledge of the law and for his eminent ability. He built up a large, lucrative, and successful practice. He probably briefed and argued as many cases in the Supreme Court of Alabama as any other lawyer in the State. During his 11 years in the Senate he kept up his study of law. Although perfectly at home in Federal courts and familiar with Federal law when he came to the Senate, he then began the intensive study of the United States Constitution and statutes, which still continues with increased concentration. Thus he has rounded out 30 years of study of and work in the law. Few question the brilliance of the mind that diligently applied itself to that study, nor the retentive quality of its memory. He has worked as hard as any man ever did. If that be a story indicating "lack of legal knowledge and experience, deficiencies in background and training," then those words have lost their meaning.

Mr. Childs' article is full of expressions conveying the idea that he is writing from first-hand knowledge of the minds of the members of the court. The following quotations prove that point:

"blunders which have shocked his colleagues on the highest Court." "And it is precisely here that Justice Black, in the opinion of his colleagues, has failed." "Nor do his fellow Justices, or most of them, foresee that he will be able to carry it within any measurable time." "There is another and more optimistic view within the Court."

Of Mr. Justice McReynolds:

On two or three occasions in New Deal cases his colleagues have been shocked by the Jovian way in which he has delivered himself of extemporaneous dissents having little to do with the law in the case. They have long been acutely aware of his ability to snarl up the law.

In his own eyes, Justice McReynolds is the last defender of the faith. His colleagues expect from him at least three tirades a week on the decline of politics, morals, conventions, the law, literature, and, above all, the courts.

Of the President:

It is not an exaggeration to say that the Justices, long before the Court controversy, were somewhat distrustful of the President. Word had come to them that Mr. Roosevelt would welcome the chance to discuss pending or future legislation. Members of the Court believe today that what the President desired was a pleasant chat at the White House, calculated to prevent future misunderstandings. The idea was repugnant to "liberals" and "conservatives" alike, just as later the President's proposal to increase the number of Justices found no advocate on the Court. Within the Court the opinion was held that if it were not for the long-established precedent of writing opinions in each case, seven judges might be more efficient than nine.

Miscellany:

"It was one of those instances, as members of the Court pointed out to the Chief Justice at the time."

"Members of the Court have been distrustful of the President because they have doubted that he has understood the function of the Court."

"To certain members of the Court who were concerned with the same problem, although from a rather different point of view, it appeared that there were two remedies."

"And it is just here that Justice Black has most distressed certain of his colleagues on the bench."

"With one exception, in which there were extenuating circumstances, Justices of long service on the bench could not recall that a dissent had ever been entered in a case decided per curiam."

"In the opinion of Justice Black's colleagues, these citations were, under the circumstances, entirely irrelevant."

"What really startled the members of the Court was Justice Black's most conspicuous dissent thus far in his lonely career."

"The fact is that certain Justices did not approve the course of their chief."

"It was proper, these Justices felt, for the Chief to report on the work of the Court; but he had no right to express an opinion on the Court's procedure and function without consulting all of its members. In the indignation of the moment a quarrel might well have been engendered. It was avoided by the forbearance of those who felt the Chief Justice's action had been unwarranted."

"What disturbs some of the Justices nowadays is the fear that the Court will fall behind in its work. Having refuted the charge that they failed to keep pace with the burden of work brought up to them, they must now live up to this reputation. For this reason they hope that subsequent appointees will be men of juridical experience, or failing that, wide legal training and background."

By what right does he assume so to speak? Evidently he would have us believe that he is an intimate of the Justices, that they have talked freely to him, and that he is giving us the purport of those intramural conversations. It is far safer to believe that nothing like that is true. It impresses some of us as a libel. Many do not give credence for a moment to the implication that any Justice has so far forgotten the traditions of that honored bench. I, for one, resent this attack upon the integrity of the Court. If he takes refuge in the excuse that he got his alleged information otherwise, then he stands as a self-confessed gossip monger, who tried to and did create another impression.

His personal assaults on the Chief Justice and Justices Butler, McReynolds, Roberts, and Black are just as indefensible.

I have never been a member of nor in sympathy with the Ku Klux Klan, but I submit that, now that Mr. Justice Black is seated, there can be no reason to inject this prejudice into a discussion of his record, even though it be brought in through the back door of a disclaimer.

My belief is that such an article would never have been written but for the Ku Klux Klan issue. Does anyone think that any Justice of the Supreme Court who had never been a member of the Klan would have ever had such an attack centered upon him?

Nothing I am saying is in defense of Mr. Justice Black. He needs no defense. He is honest, able, diligent. He has the legal knowledge and experience, the background, and training which will enable him to write a record through the years of his service that will cause history to rank him with the great of the greatest bench on earth! That record is being written. It will speak for itself and vindicate the wisdom of the President who appointed him and of the Senate that confirmed his appointment.

The real purpose of the article, however, seems to be to "smear," browbeat, and lecture the President of the United States.

Somehow, I have confidence that the vast majority of the sovereign people of these United States prefer the informed judgment of their great President, in the matter of appointments, to that of Mr. Childs.

All know that the safety of the Nation depends, to a large degree, upon our having men of profound legal learning and wide experience, with proper background and training upon the bench of the Supreme Court. We have had such men. We now have such men. And we may safely trust the President and the Senate to see to it that only such are so honored.

WILLIAM FRANKLIN BOURLAND

Mr. COSTELLO. Mr. Speaker, I ask unanimous consent that the proceedings by which the bill (H. R. 6461) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claim which William Franklin Bourland, of the Chickasaw Nation of Indians, may have against the United States, and for other purposes, No. 804 on the Private Calendar, was objected to

and the bill recommitted to the Committee on Claims be vacated and the bill restored to the Private Calendar.

The SPEAKER pro tempore [Mr. ELLIOTT]. Is there objection to the request of the gentleman from California?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mrs. O'DAY, for 1 week, on account of attending New York State Constitutional Convention as a delegate.

To Mr. DUNN, for a few days, on account of important business.

To Mr. REILLY (at the request of Mr. BOILEAU), for 4 days, on account of death in family.

To Mr. FLAHERTY for an indefinite period, on account of official business.

SENATE CONCURRENT RESOLUTION AND BILL REFERRED

A concurrent resolution and bill of the Senate of the following titles were taken from the Speaker's table, and, under the rule, referred as follows:

S. Con. Res. 32. Concurrent resolution authorizing the enrollment of H. R. 9682, the Revenue Act of 1938, with corrective changes; to the Committee on Ways and Means.

S. 3189. An act for the relief of Earle Embrey; to the Committee on Claims.

ENROLLED BILLS SIGNED

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 9218. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes;

H. R. 9682. An act to provide revenue, equalize taxation, and for other purposes; and

H. R. 10216. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1939, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. PARSONS, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 9218. An act to establish the composition of the United States Navy, to authorize the construction of certain naval vessels, and for other purposes;

H. R. 9682. An act to provide revenue, equalize taxation, and for other purposes; and

H. R. 10216. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1939, and for other purposes.

ADJOURNMENT

Mr. COSTELLO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 37 minutes p. m.) the House adjourned until tomorrow, Tuesday, May 17, 1938, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

There will be a meeting of Mr. SADOWSKI's subcommittee of the Committee on Interstate and Foreign Commerce at 10 a. m. Wednesday, May 18, 1938, for the consideration of H. R. 9739, to amend the Motor Carrier Act.

COMMITTEE ON NAVAL AFFAIRS

There will be a full open hearing before the Committee on Naval Affairs Tuesday, May 17, 1938, at 10:30 a. m., for the consideration of H. R. 4281, authorizing the Secretary of the Navy to construct and maintain a Government radio broadcasting station; authorizing the United States Commissioner of Education to provide programs of national and

international interest; making necessary appropriations for the construction, maintenance, and operation of the station and production of programs therefor; and for other purposes.

COMMITTEE ON IMMIGRATION AND NATURALIZATION

The Committee on Immigration and Naturalization will hold public hearings Wednesday, May 18, 1938, at 10:30 a. m., in room 445, House Office Building, for the consideration of H. R. 9907, and other unfinished business.

COMMITTEE ON THE JUDICIARY

There will be a hearing held before the Committee on the Judiciary, Wednesday, May 18, and Thursday, May 19, 1938, on the resolutions proposing to amend the Constitution of the United States to provide suffrage for the people of the District of Columbia. The hearing will be held in the caucus room of the House Office Building beginning at 10 a. m. on the days mentioned.

COMMITTEE ON THE CENSUS

There will be a hearing of the Committee on the Census on Wednesday, May 18, 1938, at 10:30 a. m., on the bill S. 3882.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1319. A letter from the Attorney General transmitting the draft of a proposed bill to provide for the care and treatment of juvenile delinquents; to the Committee on the Judiciary.

1320. A communication from the President of the United States, transmitting deficiency and supplemental estimates of appropriations for the Treasury Department for the fiscal year 1939 and prior years, amounting to \$70,672,407 (H. Doc. No. 631); to the Committee on Appropriations and ordered to be printed.

1321. A communication from the President of the United States, transmitting supplemental estimates of appropriations for the Department of the Interior for the fiscal years 1938 and 1939, amounting to \$3,014,492, and deficiency estimates for the fiscal years 1933, 1935, 1936, and 1937, amounting to \$270,951.80, together with drafts of proposed provisions pertaining to existing appropriations, a proposed authorization for the expenditure of \$4,500,000 of funds of the United States Housing Authority for administrative expenses, and proposed authorizations for expenditures aggregating \$270,000 from Indians' tribal funds (H. Doc. No. 632); to the Committee on Appropriations and ordered to be printed.

1322. A communication from the President of the United States, transmitting an estimate of appropriation submitted by the War Department to pay a claim for damages due to military operations, amounting to \$986 (H. Doc. No. 633); to the Committee on Appropriations and ordered to be printed.

1323. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Treasury Department for the fiscal year 1938, in the sum of \$21,000 (H. Doc. No. 634); to the Committee on Appropriations and ordered to be printed.

1324. A communication from the President of the United States, transmitting drafts of proposed provisions pertaining to existing appropriations for the Department of the Interior for the fiscal year 1938 and 1939 (H. Doc. No. 635); to the Committee on Appropriations and ordered to be printed.

1325. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year 1939, amounting to \$200,000, for the Department of Justice (H. Doc. No. 636); to the Committee on Appropriations and ordered to be printed.

1326. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the legislative establishment, Government Printing Office, for the fiscal year 1939 in the sum of \$500,000 (H. Doc. No. 637); to the Committee on Appropriations and ordered to be printed.

1327. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Put in Bay, Ohio, authorized by the River and Harbor Act, approved August 26, 1937; to the Committee on Rivers and Harbors.

1328. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers, on a preliminary examination and survey of Lake Montauk Harbor, Long Island, N. Y., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

1329. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers, on a preliminary examination and survey of Plum Island and Parker Rivers, Mass., authorized by the River and Harbor Act approved August 30, 1935; to the Committee on Rivers and Harbors.

1330. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers, on reexamination of New York Harbor, N. Y., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted July 31, 1935; to the Committee on Rivers and Harbors.

1331. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers, on a preliminary examination of and review of reports on Saugus River, Mass., authorized by the River and Harbor Act approved August 26, 1937, and requested by resolution of the Committee on Commerce, United States Senate, adopted June 3, 1937; to the Committee on Rivers and Harbors.

1332. A letter from the Acting Chairman, Federal Communications Commission, transmitting a recommendation of a proposed amendment to the Communications Act of 1934, as amended; to the Committee on Interstate and Foreign Commerce.

1333. A letter from the Acting Secretary of the Interior, transmitting one copy of legislation passed by the Municipal Council of St. Thomas and St. John and approved by the Governor of the Virgin Islands; to the Committee on Insular Affairs.

1334. A letter from the Secretary of War, transmitting a letter from the Chief of Engineers, United States Army, dated March 16, 1938, submitting a report, together with accompanying papers, on a preliminary examination of Congaree, Wateree, Santee, and Cooper Rivers, S. C., authorized by the Flood Control Act approved June 22, 1936; to the Committee on Flood Control.

1335. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustration, on a preliminary examination and survey of Huntington Harbor, N. Y., authorized by the River and Harbor Act approved August 26, 1937 (H. Doc. No. 638); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

1336. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of Biloxi Harbor, Miss., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted March 31, 1938 (H. Doc. No. 639); to the Committee on Rivers and Harbors and ordered to be printed, with illustration.

1337. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with

accompanying papers and illustration, on reexamination of Pinole Shoal and Mare Island Channel and turning basin, Calif., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1938 (H. Doc. No. 644); to the Committee on Rivers and Harbors, and ordered to be printed, with illustration.

1338. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustrations, on reexamination of channel to Rockport, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 23, 1938 (H. Doc. No. 641); to the Committee on Rivers and Harbors, and ordered to be printed, with two illustrations.

1339. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustrations, on reexamination of channel from Aransas Pass, Tex., to the Intracoastal Waterway, requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted February 11, 1938 (H. Doc. No. 643); to the Committee on Rivers and Harbors, and ordered to be printed, with two illustrations.

1340. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustration, on reexamination of San Bernard River, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted January 18, 1938 (H. Doc. No. 640); to the Committee on Rivers and Harbors, and ordered to be printed, with illustration.

1341. A letter from the Secretary of War, transmitting a letter from the Acting Chief of Engineers, United States Army, dated May 5, 1938, submitting a report, together with accompanying papers and illustrations, on reexamination of Colorado River, Tex., requested by resolution of the Committee on Rivers and Harbors, House of Representatives, adopted April 8, 1938 (H. Doc. No. 642); to the Committee on Rivers and Harbors, and ordered to be printed, with two illustrations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. WHITTINGTON: Committee on Flood Control. H. R. 10618. A bill authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes; without amendment (Rept. No. 2353). Referred to the Committee of the Whole House on the state of the Union.

Mr. LAMBETH: Committee on Printing. H. R. 5471. A bill to amend the laws relating to the distribution of public documents to depository libraries; with amendment (Rept. No. 2358). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII,

Mr. LESINSKI: Committee on Immigration and Naturalization. H. R. 8049. A bill to provide for the admission into the United States of Mary Hovarth, an alien; without amendment (Rept. No. 2354). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. H. R. 10136. A bill for the relief of John Patrick Toth; without amendment (Rept. No. 2355). Referred to the Committee of the Whole House.

Mr. SCHULTE: Committee on Immigration and Naturalization. H. R. 10286. A bill for the relief of Anthoula S. Maskas; without amendment (Rept. No. 2356). Referred to the Committee of the Whole House.

Mr. MASON: Committee on Immigration and Naturalization. S. 1673. An act for the relief of Lewis Leonard Wood and Winifred Wood; without amendment (Rept. No. 2357). Referred to the Committee of the Whole House.

Mr. CHURCH: Committee on Naval Affairs. S. 3223. An act for the relief of the dependents of the late Lt. Robert E. Van Meter, United States Navy; without amendment (Rept. No. 2361). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of rule XXII, the Committee on Pensions was discharged from the consideration of the bill (H. R. 10037) granting a pension to Mary Jones, and the same was referred to the Committee on Invalid Pensions.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. SUMNERS of Texas: A bill (H. R. 10631) to provide for a change in the time for holding court at Rock Hill and Spartanburg, S. C.; to the Committee on the Judiciary.

By Mr. BERNARD: A bill (H. R. 10632) authorizing the port authority of Duluth, Minn., and the Harbor Commission of Superior, Wis., to construct a highway bridge across the St. Louis River from Rice's Point in Duluth, Minn., to Superior in Wisconsin; to the Committee on Interstate and Foreign Commerce.

By Mr. MOSER of Pennsylvania: A bill (H. R. 10633) regulating the use of copyrighted works; to the Committee on Patents.

By Mr. DOCKWEILER: A bill (H. R. 10634) to determine and cede title to tide and submerged coastal lands to the State of California; to the Committee on the Judiciary.

By Mr. KNUTSON: A bill (H. R. 10635) to amend section 601 of the Revenue Act of 1932, as amended, to provide for an excise tax on poultry, eggs, and egg products; to the Committee on Ways and Means.

By Mr. MEAD: A bill (H. R. 10636) to amend a provision of law relating to the admission of certain classes of publications as second-class matter; to the Committee on the Post Office and Post Roads.

By Mr. ATKINSON: A bill (H. R. 10637) to provide for the establishment of the Joseph W. Byrns Memorial Center at Springfield, Tenn.; to the Committee on the Library.

By Mr. SMITH of Oklahoma: A bill (H. R. 10638) to add certain land to Platte National Park, Okla.; to the Committee on the Public Lands.

By Mr. SWEENEY: A bill (H. R. 10639) to amend Public Law No. 438, Seventy-third Congress, entitled "An act to authorize the Secretary of the Treasury to purchase silver, issue silver certificates, and for other purposes"; to the Committee on Ways and Means.

By Mr. LANZETTA: A bill (H. R. 10640) to amend paragraph IV, Veterans Regulation No. 6 (a) as amended; to the Committee on World War Veterans' Legislation.

By Mr. KING: A bill (H. R. 10641) to amend the act entitled "An act to extend the provisions of certain laws to the Territory of Hawaii," as amended, extending the provisions of the Federal Highway Act to the Territory of Hawaii; to the Committee on the Territories.

By Mr. PALMISANO: A bill (H. R. 10642) to amend the act entitled "District of Columbia Alley Dwelling Act," approved June 12, 1934, and for other purposes; to the Committee on the District of Columbia.

Also, a bill (H. R. 10643) to amend the act of August 9, 1935 (Public, No. 259, 74th Cong., 1st sess.); to the Committee on the District of Columbia.

By Mr. CASE of South Dakota: A bill (H. R. 10644) for the relief of Indians who have paid taxes on allotted lands for which patents in fee were issued without application by or consent of the allottees and subsequently canceled, and for other purposes; to the Committee on Indian Affairs.

By Mr. DOUGHTON: A bill (H. R. 10645) to amend sections 210 (b) (5), 811 (b) (6), and 907 (c) (5) of the Social Security Act, approved August 14, 1935; to the Committee on Ways and Means.

By Mr. SPENCE: A bill (H. R. 10646) to regulate the value of money, and for other purposes; to the Committee on Banking and Currency.

By Mr. MAY (by request): A bill (H. R. 10647) to provide for the exploitation of oil, gas, and other minerals on the lands comprising the Ellington Field Military Reservation, Tex.; to the Committee on Military Affairs.

By Mr. KING: A bill (H. R. 10648) to authorize an exchange of lands between the War Department and the Department of Labor; to the Committee on Military Affairs.

By Mr. KOCIALKOWSKI: A bill (H. R. 10649) to amend sections 7, 14, and 20 of the organic act of the Virgin Islands of the United States (49 Stat. 1807); to the Committee on Insular Affairs.

By Mr. BLAND: A bill (H. R. 10650) to provide for a modified 5-year building program for the United States Bureau of Fisheries; to the Committee on Merchant Marine and Fisheries.

By Mr. DREW of Pennsylvania: A bill (H. R. 10651) to provide emergency financing facilities for common carriers by railroad, to aid reorganization of railroad finances and operations, to foster and protect interstate commerce in relation to railroad transportation by preventing and relieving obstructions and burdens thereon resulting from the present acute economic emergency, to aid in maintaining financial assistance to interstate commerce on a parity as between competing forms of transportation, and to safeguard and maintain an adequate national system of transportation, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. KOCIALKOWSKI: A bill (H. R. 10652) to provide for the ratification of all joint resolutions of the Legislature of Puerto Rico and of the former legislative assembly; to the Committee on Insular Affairs.

By Mr. LUDLOW: Resolution (H. Res. 500) to make House Concurrent Resolution 46, a concurrent resolution declaring it to be the sense of Congress that the United States of America should take the lead in a suspension of naval construction by the leading powers and should call a conference on limitation of armaments, a special order of business; to the Committee on Rules.

By Mr. PALMISANO: Joint resolution (H. J. Res. 687) to amend title VI of the District of Columbia Revenue Act of 1937; to the Committee on the District of Columbia.

By Mr. ANDREWS: Joint resolution (H. J. Res. 688) creating the Niagara Falls Bridge Commission and authorizing said commission and its successors to construct, maintain, and operate a bridge across the Niagara River at or near the city of Niagara Falls, N. Y.; to the Committee on Foreign Affairs.

By Mr. CARTWRIGHT: Joint resolution (H. J. Res. 689) authorizing and directing the Secretary of the Treasury and the Commissioner of Internal Revenue of the United States to return to the State of Oklahoma an amount of money to be deducted from the amount of income taxes paid to the United States from the State of Oklahoma, each fiscal year, until the amount of loss or detriment sustained by the State of Oklahoma from November 16, 1907, to and including June 30, 1937, on account of the exemption of restricted Indian lands from ad valorem taxation and the exemption of oil and gas and other minerals extracted from such lands from taxation, shall have been discharged; and providing the method of ascertaining the total amount of such loss by a Joint Committee on Indian Affairs of the Senate and of the House of Representatives of the United States; to the Committee on Indian Affairs.

By Mr. DISNEY: Joint resolution (H. J. Res. 690) authorizing and directing the Secretary of the Treasury and the Commissioner of Internal Revenue of the United States to return to the State of Oklahoma an amount of money to be deducted from the amount of income taxes paid to the

United States from the State of Oklahoma, each fiscal year, until the amount of loss or detriment sustained by the State of Oklahoma from November 16, 1907, to and including June 30, 1937, on account of the exemption of restricted Indian lands from ad valorem taxation and the exemption of oil and gas and other minerals extracted from such lands from taxation, shall have been discharged; and providing the method of ascertaining the total amount of such loss by a Joint Committee on Indian Affairs of the Senate and of the House of Representatives of the United States; to the Committee on Indian Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DOWELL: A bill (H. R. 10653) granting an increase of pension to Flora Gifford; to the Committee on Invalid Pensions.

By Mr. GIFFORD: A bill (H. R. 10654) for the relief of Mr. and Mrs. George H. Pierce; to the Committee on Claims.

By Mr. GRISWOLD: A bill (H. R. 10655) granting an increase of pension to Jennie A. Rogers; to the Committee on Invalid Pensions.

By Mr. HOBBS: A bill (H. R. 10656) for the relief of Sari Engel Roberts; to the Committee on Immigration and Naturalization.

By Mr. HOUSTON: A bill (H. R. 10657) granting a pension to S. J. Claypool; to the Committee on Invalid Pensions.

By Mr. LUCKEY of Nebraska: A bill (H. R. 10658) granting an increase of pension to Francis H. P. Showalter; to the Committee on Invalid Pensions.

By Mr. MAAS: A bill (H. R. 10659) to adjust the lineal positions on the Navy list of certain officers of the Supply Corps of the United States Navy; to the Committee on Naval Affairs.

By Mr. MAPES: A bill (H. R. 10660) for the relief of Charles Albert Goetz; to the Committee on Immigration and Naturalization.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

5114. By Mr. BARRY: Resolution of the United Electrical, Radio, and Machine Workers of America, Machine and Instrument Local 1227, Long Island City, N. Y., concerning recovery program, wage and hour legislation, housing and slum clearance, relief and jobs for the unemployed, and aid to the small-business man; to the Committee on Labor.

5115. By Mr. CURLEY: Petition of the State, County, and Municipal Workers of America, Local No. 40, New York City, N. Y., urging enactment of the wage and hour bill; to the Committee on Labor.

5116. Also, petition of the United Optical Workers Union, New York City, urging enactment of the wage-hour bill; to the Committee on Labor.

5117. Also, petition of the Transport Workers Union of Greater New York, urging enactment of the wage-hour bill; to the Committee on Labor.

5118. Also, petition of the Newspaper Guild of New York, urging enactment of the wage-hour bill, etc.; to the Committee on Labor.

5119. Also, petition of the United Paper Workers, Long Island Union 292, New York City, urging enactment of the wage-hour bill; to the Committee on Labor.

5120. By Mr. FITZPATRICK: Petition of the Empire City Lodge, No. 197, Brotherhood of Railroad Trainmen, New York City, urging an additional appropriation for the continuation of the probe of the Senate Civil Liberties Committee into the labor spy racket; to the Committee on Appropriations.

5121. By Mr. FULMER: Resolution adopted by the Charleston Bar Association May 6, 1938, approving the establishment of a third Federal judicial district in South Carolina, and urging the enactment of appropriate legislation to that end; to the Committee on the Judiciary.

5122. By Mr. LUTHER A. JOHNSON: Petition of the legislative committee of the Bryan and Brazos County Chamber of Commerce, by D. L. Wilson, secretary, of Bryan, Tex., and H. A. Bardwell, president of the Texas State Federation of Federal Employees, of San Antonio, Tex., favoring House bills 2700 and 6587; to the Committee on the Civil Service.

5123. By Mr. KRAMER: Resolution of the California Conference of Social Work, relative to the problem of migrants and transients in California, etc.; to the Committee on Ways and Means.

5124. Also, resolution of the State committee of young Democratic clubs of California, relative to passage of the wage and hour bill; to the Committee on Labor.

5125. Also, resolution of the assembly and senate of the State of California, relative to memorializing the President and the Congress to make available Federal funds for flood control; to the Committee on Appropriations.

5126. Also, resolution of the California Conference of Social Work, relative to approval of House bill 8225, etc.; to the Committee on Ways and Means.

5127. By Mr. HOUSTON: Petition of the county commissioners of Sedgwick County, State of Kansas, urging the enactment into law during this session of Congress of House bill 4199; to the Committee on Ways and Means.

5128. By Mr. PFEIFER: Petition of the American Optical Co., New York City, urging support of House bill 9209; to the Committee on Ways and Means.

5129. Also, petition of Abraham & Straus, Inc., Brooklyn, N. Y., urging the enactment of House bill 9209, introduced by Congressman Tower; to the Committee on Ways and Means.

5130. Also, petition of the Reuben H. Donnelley Corporation, New York City, endorsing the Towey bill (H. R. 9209); to the Committee on Ways and Means.

5131. Also, petition of the New York League of Women Voters, New York City, favoring passage of the Ramspeck postmasters' bill as passed by the House; to the Committee on the Civil Service.

5132. Also, petition of the Blind Industrial Workers Association of New York State, Inc., Brooklyn, N. Y., urging the passage of Senate bill 2819; to the Committee on Interstate and Foreign Commerce.

5133. Also, petition of the New York City Federation of Women's Clubs, Inc., New York City, favoring the Martin wool-labeling bill (H. R. 9909); to the Committee on Interstate and Foreign Commerce.

5134. By Mr. THURSTON: Petition of citizens of Albia, Iowa, approving Senate Joint Resolution No. 223; to the Committee on the Judiciary.

5135. By Mr. TOBEY: Petition distributed by La Casse Post, No. 808, Veterans of Foreign Wars, Claremont, N. H., and signed by Claremont Community Players, to keep America out of war; to the Committee on Foreign Affairs.

5136. Also, petition of the Catholic Daughters of America, Claremont, N. H., distributed by La Casse Post, No. 808, Veterans of Foreign Wars, to keep America out of war; to the Committee on Foreign Affairs.

5137. By the SPEAKER: Petition of the Interstate Conference of Unemployment Compensation Agencies, Washington, D. C., petitioning consideration of their resolution dated April 27, 1938, with reference to unemployment; to the Committee on Labor.

5138. Also, petition of the Los Angeles County Council, American Legion, Los Angeles, Calif., petitioning consideration of their resolution dated May 6, 1938, with reference to adequate emergency funds for the operation of the Federal Bureau of Investigation; to the Committee on Appropriations.

5139. Also, petition of James T. M. Bleakley, of Bronx County, city and State of New York, petitioning consideration of their resolution dated May 14, 1938, with reference to cemetery property in New York State; to the Committee on the Judiciary.

5140. Also, petition of the Board of Supervisors of the County of Alameda, State of California, petitioning consid-

eration of their Resolution No. 32365, dated May 9, 1938, concerning House bill 4199, known as the General Welfare Act; to the Committee on Ways and Means.

5141. Also, petition of the County Board of Price County, State of Wisconsin, petitioning consideration of their Resolution No. 1787, dated May 4, 1938, concerning House bill 4199, known as the General Welfare Act; to the Committee on Ways and Means.

5142. Also, petition of the General Federation of Women's Clubs, Washington, D. C., petitioning consideration of their Resolution No. 3 with reference to income-tax returns; to the Committee on Ways and Means.

5143. Also, petition of the Industrial Commission of Utah, Salt Lake City, Utah, petitioning consideration of their resolution dated May 7, 1938, with reference to Senate bill 3772, concerning States paying unemployment compensation benefits; to the Committee on Ways and Means.

5144. Also, petition of Alhambra Camp, No. 41, United Spanish War Veterans, Department of California, petitioning consideration of their resolution dated May 10, 1938, concerning House Resolution No. 425, authorizing a congressional investigation in the case of John H. Hoepfel; to the Committee on Rules.

5145. Also, petition of Philadelphia Bourse, Philadelphia, Pa., petitioning consideration of their resolution dated May 11, 1938, concerning wages and hours in employment; to the Committee on Labor.

5146. Also, petition of Southern Californians, Inc., Los Angeles, Calif., petitioning consideration of their resolution dated May 2, 1938, concerning the National Labor Relations Act; to the Committee on Labor.

5147. Also, petition of the California Conference of Social Work, San Francisco, Calif., petitioning consideration of their resolution concerning House bill 9256 with reference to Social Security Board; to the Committee on Ways and Means.

5148. Also, petition of the Board of Supervisors of the County of Alameda, State of California, petitioning consideration of their Resolution No. 32365, dated May 9, 1938, concerning House bill 4199 known as the General Welfare Act; to the Committee on Ways and Means.

5149. Also, petition of the Alabama State Federation of Labor, Birmingham, Ala., petitioning consideration of their Resolution No. 5, with reference to Works Progress Administration program; to the Committee on Appropriations.

5150. Also, petition of J. L. Edwards and others, of the State of Alabama, petitioning consideration of a petition with reference to F. D. A. Inter-Regional Conference dated May 12, 1938; to the House Committee on Agriculture.

5151. Also, petition of Charles McAdam, of Danville, Ill., petitioning consideration of their petition with reference to violations of the Constitution dated May 9, 1938; to the Committee on the Judiciary.

SENATE

TUESDAY, MAY 17, 1938

(Legislative day of Wednesday, April 20, 1938)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Monday, May 16, 1938, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Latta, one of his secretaries.

CALL OF THE ROLL

Mr. LEWIS. I suggest the absence of a quorum, as it is apparent one is not present, and ask for a roll call.